

Consolidated Edison Co. of New York, Inc.
Entergy Nuclear Indian Point 2, LLC
Entergy Nuclear Operations, Inc.

Docket Nos. 50-003 and 50-247
License Nos. DPR-5 and DPR-26

ENCLOSURE 1

Application For Transfer Of Facility Operating Licenses

Pursuant to 10 CFR 50.80, Consolidated Edison Company of New York, Inc. (Con Edison), Entergy Nuclear IP2, LLC, and Entergy Nuclear Operations, Inc. (ENO) (collectively the applicants) do hereby apply for a transfer of Facility Provisional Operating License No. DPR-5, for IP1, and Facility Operating License No. DPR-26, for IP2, from Con Edison to Entergy Nuclear IP2 and ENO. The applicants also request conforming amendments to Facility Operating License Nos. DPR-5 and DPR-26 to delete references to Con Edison and to authorize: (1) Entergy Nuclear IP2 and ENO to possess and use IP1; and (2) Entergy Nuclear IP2 to possess and use, and ENO to possess, use, and operate IP2, under the same conditions and authorizations included in the current licenses.

Marked pages showing the requested changes to the license, as well as clean printed pages of the Facility Operating Licenses, are provided as Attachment A to this enclosure. Marked pages showing the requested changes to the Technical Specifications, as well as clean printed pages, are provided as Attachment B to this enclosure. Attachment C provides the evaluation showing that these amendments raise no significant hazards consideration as required by 10 CFR 50.92(c).

Administrative changes to documents other than the Facility Operating Licenses and Technical Specifications will be required by the sale of IP1 and IP2. Changes to those documents that are related to the Facility Operating Licenses, such as the Updated Final Safety Analysis Report, Physical Security Plan, Emergency Plan will be achieved during periodic or routine licensing correspondence or updates required by NRC regulations, such as 10 CFR 50.71(e). Changes to documents such as procedures, drawings, and manuals will be achieved during internal periodic or routine processes applicable to those documents. Changes to documents such as licenses, permits and certificates will be achieved during periodic or routine applications to Federal, state, and local government agencies such as the Federal Communications Commission (communications licenses), Westchester County and local towns. Such changes are mentioned only in recognition that changes (primarily changes in owner name) to

documents other than those in the proposed amendments will likely be required. Such changes, however, are collateral to the transfer of the licenses and the proposed amendments.

I. Background

Con Edison, an investor-owned utility, is the sole owner and operator of IP1 and IP2. The sale and transfer of IP1 and IP2 implements Con Edison's decision to divest all of its nuclear generation assets to facilitate the development of a competitive market.

On November 9, 2000, Con Edison entered into an Asset Purchase and Sale Agreement ("APSA") under which it will sell its interests in IP1 and IP2 to Entergy Nuclear IP2. A copy of the signed APSA is included as Enclosure 4 to this letter. Major issues addressed in the APSA include:

- Upon closing (and subject to the NRC's consent and license amendment), Entergy Nuclear IP2 will assume title to the facilities (including all equipment, spare parts, fixtures, inventory, and other property necessary for the maintenance of IP1 and for the operation and maintenance of IP2), will take title to all used and spent nuclear fuel and other licensed nuclear materials at IP1 and IP2, and through its authorized agent, ENO, will assume all responsibility for the operation and maintenance of the plants.
- Upon closing, all employees within Con Edison's Nuclear Power Department, and certain other employees supporting the Nuclear Power Department, including the maintenance of IP1, and the operation and maintenance of IP2, will become employees of ENO.
- As part of the transaction, Con Edison has entered into a power purchase agreement through December 31, 2004 with Entergy Nuclear IP2 under which Con Edison will purchase energy from IP2 at pre-established rates and schedules.
- As of closing, Con Edison will transfer \$430 million from the IP1 and IP2 decommissioning trust funds to trust fund(s) to be held by the purchaser, which will satisfy NRC minimums for decommissioning. The responsibility for decommissioning the units will transfer to Entergy Nuclear IP2 upon transfer of the NRC licenses and closing of the sales transactions.
- The sale and purchase of IP1 and IP2 requires approvals, notifications, and/or actions from other agencies, including the Federal Energy Regulatory Commission (FERC), and the New York State Public Service Commission (NYSPSC). These approvals are being sought separately under the respective regulatory requirements.

II. Supporting Information

IP1 is a retired single unit pressurized water reactor electric generating facility that was constructed by the Con Edison Company of New York. IP1 was issued a Provisional Operating License on March 26, 1962. IP1 has been in a shutdown condition since October 31, 1974. The IP1 decommissioning plan proposes long term safe storage (SAFSTOR) of IP1, spent fuel and residual radioactivity until the adjacent IP2 plant is also decommissioned. The IP1 decommissioning plan was accepted by the NRC by order dated January 31, 1996 and the facility license changed to "possession only."

IP2 is a single unit pressurized water reactor electric generating facility that was constructed by the Con Edison Company of New York. IP2 was issued an operating license on September 28, 1973. Entergy Nuclear IP2 will own IP1 and IP2, and ENO will maintain IP1, and operate and maintain IP2, as agent for Entergy Nuclear IP2, pursuant to an Operating Agreement between Entergy Nuclear IP2 and ENO (Enclosure 5). As required by 10 CFR 50.80, the following information is provided consistent with the format of 10 CFR 50.33, 10 CFR 50.33a, and 10 CFR 50.34.

Information Required by 10 CFR 50.33

A. Name of Applicants (New Licensees)

Entergy Nuclear Indian Point 2, LLC
Entergy Nuclear Operations, Inc.

B. Address

440 Hamilton Ave.
White Plains, NY 10601

C. Description of Business or Occupation

Entergy Nuclear Indian Point 2, LLC is engaged principally in the business of owning and/or operating all or part of one or more eligible facilities and selling electric energy at wholesale in the United States. Entergy Nuclear Operations, Inc. is engaged principally in the business of operating eligible nuclear facilities.

D. Corporate Information

1. Entergy Nuclear Indian Point 2, LLC, a Delaware Limited Liability Company, is an indirect wholly-owned subsidiary of Entergy Corporation, and an indirect wholly-owned subsidiary of Entergy Nuclear Holding Company #3. The principal office is located in the Village of Buchanan, New York.

Entergy Nuclear Operations, Inc., a Delaware Corporation, is an indirect wholly-owned subsidiary of Entergy Corporation, and a direct wholly-owned subsidiary of Entergy Nuclear Holding Company #2. The principal place of business is located in White Plains, NY.

The corporate structure for these organizations is shown on Enclosure 6.

2. The principal Officers of Entergy Nuclear Indian Point 2, LLC, all of whom are citizens of the United States, are as follows:

Jerry W. Yelverton	President and Chief Executive Officer
C. John Wilder	President and Chief Financial Officer
Steven C. McNeal	Vice President and Treasurer
Michael R. Kansler	Senior Vice President and Chief Operating Officer
Michael G. Thompson	Senior Vice President-Law and Secretary
Joseph L. Blount	Assistant Secretary
Christopher T. Screen	Assistant Secretary

Entergy Nuclear Indian Point 2, LLC has no Board of Directors; it is governed by a Management Committee that is comprised solely of Donald C. Hintz, a citizen of the United States.

The business mailing address of Messrs. Hintz, and Wilder is:

Entergy Nuclear Indian Point 2, LLC
639 Loyola Avenue
New Orleans, LA 70113

The business mailing address of Mr. Yelverton is:

Entergy Nuclear Indian Point 2, LLC
1340 Echelon Parkway
Jackson, MS 39213

The principal Officers of Entergy Nuclear Operations, Inc., all of whom are citizens of the United States, are as follows:

Jerry W. Yelverton	President and Chief Executive Officer
C. John Wilder	Executive Vice President and Chief Financial Officer
Steven C. McNeal	Vice President and Treasurer
Michael R. Kansler	Senior Vice President and Chief Operating Officer-Northeast
Danny R. Pace	Vice President, Engineering-Northeast
Michael M. Bellamy	Vice President, Operations-Pilgrim Nuclear Power Station
C. Randy Hutchinson	Sr. Vice President - Business Development
Danny R. Keuter	Vice President, Business Development
Michael G. Thompson	Senior Vice President-Law and Secretary
Joseph L. Blount	Assistant Secretary
Christopher T. Screen	Assistant Secretary
Joseph T. Henderson	Vice President and General Tax Counsel

The business mailing address of Mr. Kansler is:

Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

The Directors of Entergy Nuclear Operations, Inc., all of whom are citizens of the United States, are as follows:

Jerry W. Yelverton , Chairman
Donald C. Hintz
C. John Wilder

The business mailing address of Messrs. Hintz and Wilder is:

Entergy Nuclear Operations, Inc.

639 Loyola Avenue
New Orleans, LA 70113

The business mailing address of Mr. Yelverton is:

Entergy Nuclear Operations, Inc.
1340 Echelon Parkway
Jackson, MS 39213

3. Entergy Nuclear Indian Point 2, LLC and Entergy Nuclear Operations, Inc. are not owned, controlled, or dominated by an alien, a foreign corporation, or a foreign government.
4. In seeking to become the licensed owner and possessor of IP1, and the owner, possessor, and operator of IP2, Entergy Nuclear Indian Point 2, LLC and Entergy Nuclear Operations, Inc. are not acting as agents or representatives of another entity.

E. Class of Licenses

The IP1 Facility Operating License was issued under the provisions of Section 104b of the Atomic Energy Act of 1954, as amended ("AEA"). IP1 has been in a shutdown condition since October 31, 1974. On January 31, 1996, the NRC issued: (1) an order authorizing decommissioning of IP1 in accordance with a Decommissioning Plan filed with the NRC by Con Edison; and (2) Amendment No. 45 to the IP1 Facility Operating License, which changed the license to "possession only."

The IP2 Facility Operating License was issued under the provisions of Section 104b of the AEA. The expiration date of the IP2 facility license is September 28, 2013. The applicants are requesting a direct transfer of the existing licenses. A change in the class of the Facility Operating Licenses is not being requested as part of the transfer.

F. Financial Qualifications

Entergy Nuclear IP2 and ENO do not qualify as electric utilities under 10 CFR 50.2; therefore, the following information is provided to demonstrate financial qualifications in accordance with Section 50.33(f).

1. As requested by 10 CFR 50.33(f)(3), Entergy Nuclear IP2 and ENO are indirect, wholly-owned subsidiaries of Entergy Corporation. Headquartered in New Orleans, LA, Entergy Corporation is a U.S. - based global energy company with power production, distribution operations and

related diversified services. Entergy Corporation owns, manages or invests in power plants generating nearly 32,000 megawatts of electricity domestically and internationally. Through its subsidiaries (both regulated and non-regulated), Entergy Corporation owns and operates eight nuclear power plants at seven sites – Arkansas Nuclear One Units 1 and 2, Grand Gulf Nuclear Station, River Bend Station, Waterford 3 Steam Electric Station, Pilgrim Nuclear Power Station, Indian Point Nuclear Generating Unit No. 3, and the J.A. FitzPatrick Nuclear Power Station. Entergy Corporation distributes energy to more than 2.5 million customers in the U.S. and is also among the top 10 power marketers in the U.S. As of September 30, 2000, Entergy Corporation had total assets of \$24 billion. Entergy Corporation's 10-Ks for the past five years are attached to this filing. Also enclosed are Moody's and Standard and Poor's bond ratings for the past three years demonstrating Entergy Corporation's investment-grade bond ratings.

Entergy Nuclear IP2 is a newly formed entity, and either through a parent, associate, or affiliate company, will provide the funds necessary to purchase IP1 and IP2. At the closing of the purchase, IP1, IP2, the associated gas turbines, and the Toddville Training Facility will be the only assets on Entergy Nuclear IP2's balance sheet. As of the date of this application, Entergy Nuclear IP2 has no liabilities. ENO was formed in February 2000 and currently employs approximately 1700 persons at Indian Point 3, FitzPatrick Nuclear Power Station and its White Plains office.

2. The following information is submitted pursuant to 10 CFR 50.33(f)(2). Entergy Nuclear IP2 and ENO have assurance of obtaining the funds necessary to cover estimated costs to maintain IP1 and operate IP2. Entergy Nuclear IP2 has signed a power purchase agreement with Con Edison through December 31, 2004. Under this contract, Entergy Nuclear IP2 will sell 100% of the total energy of IP2 at fixed prices, "take or pay," through 2004. After 2004, Entergy Nuclear IP2 will pursue other firm contracts or sell any uncommitted power into the market in New York. The following table summarizes the terms of the power purchase agreement and the expected market prices¹ for uncommitted power through December 31, 2004.

¹ Market price estimates are based on independent market studies, Entergy Power Marketing Group analyses and scenarios related to varying market conditions.

Year	Output to Contract %	Contract Price (\$/Mwh)	Market Price (\$/Mwh)
2001	100	39.00	N/A
2002	100	39.00	N/A
2003	100	39.00	N/A
2004	100	39.00	N/A
2005	0	N/A	

Based on the operating experience of Entergy's other nuclear plants, Entergy Nuclear IP2 and ENO expect to operate IP2 at an average annual capacity factor of 85%. The sale of power as described in the table above is expected to cover the expected operating and maintenance costs of IP1 and IP2 and provide a margin of additional income over and above those costs. The following table demonstrates the ability of projected power sales to cover expected operating and maintenance expenses:

	(\$000s)				
	2001	2002	2003	2004	2005
Power Sales – Contract					0
Power Sales – Market	0	0	0	0	
Total Revenue					
Operation & Maintenance					
Fuel					
Administrative & Other					
Total Operating Expenses					
Operating Profit					

ENO will operate IP2 and maintain IP1 at cost and will be reimbursed by Entergy Nuclear IP2 for its costs according to the terms of an Operating Agreement between ENO and Entergy Nuclear IP2. (A copy of the proposed Operating Agreement, which will be executed at or by the closing, is included as Enclosure 5 to this letter).

At the closing of the IP1 and IP2 purchase, Entergy Nuclear IP2 and ENO will have access to an established line of credit of \$20 million from an affiliate company, Entergy Global Investments, Inc (EGI). This line of credit will provide working capital, if necessary, for the operation and maintenance of the plants. In addition, up to \$35 million will be provided through a line of credit from Entergy International Ltd. LLC (EIL)², to provide additional financial resources if needed for the safe operation and maintenance of IP1 and IP2, including the costs of nuclear property damage insurance and any retrospective premium pursuant to 10 CFR 140.21. Entergy Nuclear IP2 and ENO will notify the NRC if any of this \$35 million line of credit is called upon for use at either plant.

In the event of an extended shutdown, fixed operating expenses would be paid from retained earnings, as available, or by the funds described above. Of total operating expenses, the fixed portion is estimated as follows:

	(\$000s)					
	2000	2001	2002	2003	2004	2005
Total Operating Expenses						
Fixed Operating Expenses (6 months)						
Note: Fixed operating expenses include capital expenditures, and exclude depreciation, fuel costs, refueling outage costs, and a certain percentage of contracts and outside services.						

There is no unfunded financial liability associated with the decommissioning of IP1 or IP2. Please refer to Section K regarding Decommissioning Funding.

G. Radiological Response Plans

Upon approval of the transfers, Entergy Nuclear IP2 and ENO, as its authorized agent, will assume authority and responsibility for functions necessary to fulfill the emergency planning requirements specified in 10 CFR 50.47(b) and 10 CFR 50, Appendix E. No substantive changes will be made to the existing IP1 or IP2

² This \$35 million line of credit is separate from, and in addition to, the \$50 million line of credit previously established by EIL for use by Entergy Nuclear FitzPatrick and Entergy Nuclear IP3.

Emergency Plans nor will there be any immediate changes to the existing Emergency Response Organizations as a result of these proposed amendments.

Actions necessary to assure continued compliance with emergency planning requirements will be completed upon the closing. As identified in Section 2.02(iv)(B) of the APSA (Enclosure 4), all property and assets used or usable in providing emergency warning or associated with emergency preparedness and contracts and agreements associated with emergency preparedness are to be transferred to Entergy Nuclear IP2 at the closing. With respect to existing agreements for support from organizations and agencies not affiliated with Con Edison, Con Edison and Entergy Nuclear IP2 and/or ENO as its agent, will make the appropriate notifications to the parties to assure continued support.

Specific emergency plan and procedure changes to reflect the change in ownership and operation will be handled in accordance with 10 CFR 50.54(q) as required.

H. Facility Alterations

No physical alterations to either IP1 or IP2 are being proposed as a part of the license transfer process. Any future modifications will be performed in accordance with applicable regulatory requirements (e.g., 10 CFR 50.59).

I. Regulatory Agencies Having Jurisdiction and News Agencies

Although this is a request for a direct transfer of the existing IP1 and IP2 Facility Operating Licenses, rather than new licenses under 10 CFR 50.22, the following information is provided to help facilitate NRC interaction with the public:

1. Certain aspects of the sale will require approval, notifications or filings by either or all parties with, among other agencies, the Federal Energy Regulatory Commission, and the New York State Public Service Commission.
2. The following publications circulate in the general areas of IP1 and IP2:

Rockland County
Daily

Gannett Newspapers – The Journal News – Rockland Co. Edition
One Gannett Drive
White Plains, NY 10604
(914) 694-5374

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Weeklies

Rockland County Times
Citizens Publishing Corp.
14 East Central Ave.
P. O. Box 510
Pearl, River NY 10965
(914) 735-8933

Rockland Review
662 Main Street New Rochelle, NY 10808-7145
(914) 636-7400

Westchester County
Daily

Gannett Newspapers – The Journal News – Westchester Co. Edition
Gannett Drive
White Plains, NY 10604
(914) 694-5364

Weeklies

The Croton Gazette
P. O. Box 810
Croton on Hudson, NY 10520

Cortland Observer
P. O. Box 8
Buchanan, NY 10511

Peekskill Herald
927 South Street
Peekskill, NY 10566
(914) 737-7747

Orange County
Daily

Times Herald Record (Middletown edition)
233 Broadway
Newburgh, NY 10950
(914) 565-5000

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Weeklies

Cornwall Local & News of the Highlands
P. O. Box B
Cornwall, NY 12518
(914) 534-7771

Putnam County
Daily

Gannett Newspapers – Journal News – Putnam County Edition
One Gannett Drive
White Plains, NY 10604
(914) 694-5374

Weeklies

Putnam County Courier
Taconic Newspapers
P. O. Box 316
Millbrook, NY 12545
(914) 677-8241

Putnam County News and Recorder
P. O. Box 185, 86 Main St.
Cold Springs, NY 10516
(914) 265-2468

Westchester and Putnam County
Weeklies

North County News
1520 Front St.
Yorktown Heights, NY 10598
(914) 962-3871

Patent Trader
Rt. 35 and Rt. 121
Cross River, NY 10518
(914) 763-3200

J. Restricted Data

This application does not involve any Restricted Data or other classified defense information, and it is not expected that any such information will be required by the licensed activities at IP1 or IP2. In the event that licensed activities involve Restricted Data in the future, Entergy Nuclear IP2 and ENO agree that they will appropriately safeguard such information and will not permit any individual to have access to Restricted Data until the Office of Personnel Management investigates and reports to the NRC on the character, associations, and loyalty of such individual, and the NRC determines that permitting such person to have access to Restricted Data will not endanger the common defense and security of the United States.

K. Decommissioning Funding

Under 10 CFR 50.75(b), reactor licensees are required to provide decommissioning funding assurance by one or more of the methods described in 10 CFR 50.75(e). Con Edison, a rate-regulated electric utility, currently maintains two decommissioning trusts for IP1 and IP2: (1) a Qualified Decommissioning Trust; and (2) a Nonqualified Decommissioning Trust. The Qualified Decommissioning Trust is a trust validly existing and in good standing under the laws of the State of New York, and is in compliance with all applicable rules and regulations of the NRC, Federal Energy Regulatory Commission ("FERC"), and the New York State Public Service Commission. The Nonqualified Decommissioning Trust is a trust validly existing and in good standing under the laws of the State of New York, and is in compliance with all applicable rules and regulations of the NRC and FERC.

On January 31, 1996 the NRC issued an Order accepting a plan for the decommissioning of IP1. The decommissioning plan accepted by the NRC provides that IP1 will be maintained in a safe storage condition until the end of IP2's current license (2013), at which time both IP1 and IP2 will be decommissioned.

Pursuant to Section 6.07 of the APSA, at closing of the sale, Con Edison will transfer the Qualified Decommissioning Trust, or all of its assets, to Entergy Nuclear IP2. To the extent that the Fair Market Value of the assets of the Qualified Decommissioning Trust is greater than \$430 million, the purchase price will be adjusted pursuant to APSA section 3.02(c)(iii). However, if the fair market value of the Qualified Decommissioning Trust at the time of closing is less than \$430 million, Con Edison will transfer assets of the Nonqualified Decommissioning Trust (and if necessary, provide additional funds to the Nonqualified Decommissioning Trust) such that the aggregate fair market value of the decommissioning funds transferred to Entergy Nuclear IP2 equals \$430

million. This amount will meet the NRC's minimum funding requirement, using the generic formulas in 10 CFR 50.75(c), and taking credit for a 2 percent annual real rate of return on the Trust allowed under the NRC's regulations through the end of license of IP2.

The funds will be held in a Decommissioning Trust established and maintained by Entergy Nuclear IP2. The funds will be segregated from Entergy Nuclear IP2's other assets and will be outside of Entergy Nuclear IP2's administrative controls. The Trust will provide that: (1) no funds may be disbursed from the Trust funds, other than administrative expenses, without giving prior written notice to the Director, Office of Nuclear Reactor Regulation (NRR), of the NRC; (2) the funds will be invested in accordance with the "prudent investor" standard as specified in 18 CFR 35.32(a)(3) of the FERC's regulations; (3) no material modifications will be made to the Trust without the prior written consent of the Director, NRR; (4) investments in the securities or other obligations of Entergy Nuclear IP2 or ENO, or affiliates thereof, shall be prohibited; and (5) use of the assets of the Trust, in the first instance, shall be limited to the expenses related to decommissioning IP1 and IP2 as defined by the NRC in its regulations and issuances, and as provided in the IP1 and IP2 licenses and amendments thereto.

The funding mechanism proposed by Entergy Nuclear IP2 and ENO satisfies the requirements of 10 CFR 50.75. The amount to be held in trust for the decommissioning of IP1 and IP2 will meet the minimum amount which would be required under the "prepayment" method of 10 CFR 50.75(e)(1)(i). The funds will be held in a Trust with appropriate safeguards on the investment and use of the funds, as described above. This mechanism meets the requirements of 10 CFR 50.75(e)(1)(vi) that a licensee submit "assurance of decommissioning funding equivalent to that provided by the mechanisms specified in paragraphs (e) (1) (i) through (v) of [10 CFR 50.75]."

Information Required by 10 CFR 50.33a

A. Antitrust

In accordance with the Commission's decision in *Kansas Gas and Electric Company* (Wolf Creek Generating Station, Unit 1), CLI-99-19, 49 NRC 441 (1999), the AEA does not require antitrust reviews of license transfer applications after initial licensing. In addition, IP1 and IP2 are licensed under Section 104b of

the AEA and, therefore, in accordance with Section 105 of the AEA, are exempt from antitrust review requirements on that basis alone. Therefore, the requirements of 10 CFR 50.33a are not applicable to this license transfer application.

Information Required by 10 CFR 50.34

A. Preliminary Safety Analysis Reports

The IP1 and IP2 Design and Analysis Reports were submitted with the original construction permit applications on November 30, 1960, and April 26, 1967 respectively.

B. Final Safety Analysis Reports

With respect to the requirements of 10 CFR 50.34(b), the following information is considered pertinent to the subject license transfers:

1. IP1

Any changes to the IP1 Final Safety Analysis Report (FSAR) resulting from the transfer will be incorporated in an update(s) after the transfer. With respect to technical qualifications, the following information is provided.

The existing plant staff is technically qualified as described in the FSAR, and Section 3.0 of the Technical Specifications.

In accordance with Unit 1 Technical Specification section 3.2.1(a), the lines of authority, responsibility, and communications will be consistent with the descriptions documented in the IP2 Updated Final Safety Analysis Report, as discussed below.

2. IP2

The IP2 Final Safety Analysis Report was initially updated to the Updated Final Safety Analysis Report ("UFSAR") in 1982 and has been subsequently updated in accordance with 10 CFR 50.71(e). Any changes to the UFSAR resulting from the transfer will be incorporated in an update(s) after the transfer. With respect to technical qualifications, the following information is provided.

The existing plant staff is technically qualified as described in the UFSAR, (together with any other as yet unincorporated changes) and Section 6.3 of the Technical Specifications. Personnel currently responsible for providing technical support for the plants will continue to do so after the transfer. Details of the organization and the qualifications of the individuals making up these organizations are detailed in the UFSAR and in Section 6.3 of the Technical Specifications. The position currently held by the Senior Vice President and Chief Nuclear Officer will be renamed Vice President, Operations, Indian Point 2, and will report to the Senior Vice President and Chief Operating Officer (COO) of ENO (Michael Kansler, whose resume is provided in Enclosure 6). The Senior Vice-President and COO of ENO will report to the President and CEO of ENO (Jerry Yelverton, whose resume is provided in Enclosure 6), who will also serve as Chief Nuclear Officer. The plant staff and organization will remain technically qualified after the transfer.

Regarding NRC's Standard Review Plan (SRP), NUREG-0800, Section 13.1.1, "Management and Technical Support Organization;" Sections 13.1.2-13.1.3, "Operating Organizations," the following is provided.

The organizational groups responsible for implementation of technical support for operation of the facility are identified and described. The Nuclear Power Department (not limited to the site location), which includes all groups responsible for implementation of technical support for operation of IP2, will be maintained by ENO as currently described in the UFSAR, (together with any other as yet unincorporated changes) and Sections 3.0 and 6.3 of the Unit 1 and Unit 2 Technical Specifications, respectively. These groups include those responsible for various functions such as Maintenance, Operations, and support functions such as Engineering.

The organizational structure provides for the integrated management of activities that support the operation and maintenance of IP1 and IP2 ⁴. Clear management control, clear lines of authority and effective communications exist between the organizational units involved in management, operations, and technical support for operation of IP2. The only change will be that the senior officer at the site will report to the Senior Vice President and Chief Operating Officer of ENO rather than the President of Con Edison.

⁴ References to operation and maintenance of IP1 and IP2 should be understood to refer to the maintenance of IP1 in its present defueled state and the operation of IP2 in accordance with their respective licenses as requested to be amended by this application.

Sufficient experience and availability of personnel exist to implement the responsibility for technical support of IP1 and IP2. The ENO officers who will be assigned these responsibilities in the ENO corporate structure have sufficient experience and nuclear knowledge to implement their responsibilities for technical support for the operation of IP2. Additionally, they meet the required qualifications as per ANSI-18.1-1971, "Selection and Training of Nuclear Power Plant Personnel." Existing licensing documents which are not proposed to change as a result of the license transfer will ensure that any new management employees placed at IP1 and IP2 will have experience in day-to-day operation and maintenance of nuclear plants and will meet all applicable technical qualifications.

The Chief Nuclear Officer will be the officer ultimately responsible for implementing all activities associated with the overall safe and reliable maintenance and operation of IP1 and IP2. The Chief Nuclear Officer will be clearly responsible for nuclear activities and will be free of ambiguous assignments of primary responsibility without ancillary responsibilities that might detract from nuclear safety matters.

The proposed transfer will not impact compliance with the quality assurance requirements of 10 CFR 50 Appendix B nor will it reduce the commitments in the NRC accepted quality assurance program description for IP1 and IP2. Upon transfer, ENO will assume the ultimate responsibility for present functions associated with the Indian Point Quality Assurance Program. The manager responsible for quality assurance functions will continue to have direct access to the senior officer at the site on matters related to quality. Changes to reflect the transition will be handled in accordance with 10 CFR 50.54.

C. Physical Security Plan

The proposed transfer will not impact compliance with the physical security requirements of 10 CFR Part 73. Upon transfer, Entergy Nuclear IP2 and ENO will assume ultimate responsibility for implementation of all aspects of the present security programs at IP1 and IP2. IP2 Operating License Condition 2.H includes physical security plan requirements for IP1 and IP2 and is not being changed by the transfer. Changes to the plans reflecting this transaction will not decrease the effectiveness of the plans and will be made in accordance with 10 CFR 50.54(p).

D. Safeguards Contingency Plan

IP2 Operating License Condition 2.H includes safeguards contingency plan requirements for IP1 and IP2 and is not being changed by the transfer.

E. Safeguards Information

IP2 Operating License Condition 2.H includes safeguards information requirements for IP1 and IP2 and is not being changed by the transfer.

F. Additional TMI-Related Requirements

Additional TMI-related requirements are not affected by the proposed transfers.

G. Conformance to Standard Review Plan

The IP1 and IP2 construction permit applications were submitted in 1960 and 1967, respectively. The IP1 and IP2 Facility Operating Licenses were issued in 1962 and 1973, respectively, which preceded the requirement for conformance to NUREG-0800, Standard Review Plan.

III. Other Licensing Considerations

A. IP1

In letters dated October 17, 1980, as revised October 13, 1981, July 31, 1986, March 28, 1988, August 10, 1989, March 28, and July 17, 1990, February 5, April 2, July 31, September 20, and October 12, 1993, May 13 and August 11, 1994, and July 19, 1995 Con Edison requested approval of its proposed Decommissioning Plan for IP1 and an amendment to Provisional Operating License No. DPR-5 and associated Technical Specifications to make them consistent with the decommissioning plan. The decommissioning plan proposes long-term safe storage (SAFSTOR) of IP1, spent fuel and residual radioactivity until the adjacent IP2 has been permanently shut down.

The "Order Approving Decommissioning Plan and Authorizing Decommissioning of Facility", dated January 31, 1996, states that the Decommissioning Plan supplements the IP1 Safety Analysis Report. Accordingly, a license condition was added allowing the licensee to make changes to the Decommissioning Plan and Safety Analysis Report after performing a review based upon criteria similar to the criteria of 10 CFR 50.59.

B. IP2

1. Offsite Power

Offsite power is currently provided to IP2 over 138kv transmission facilities and 13.8kv distribution facilities and will remain unchanged as a result of the sale and transfer. The design of the system is such that sufficient independence or isolation between the various sources of electrical power is provided to guard against concurrent loss of all auxiliary power.

The 138kv transmission system is the preferred offsite power source. This offsite power source is provided to IP2 from the Con Edison Buchanan Substation over 138kv transmission lines. Part of the 138kv system is of a ring design, including the Buchanan Substation, which is approximately 0.50 mile from the plant, and the remainder of the bus located on the Indian Point site. One of the Buchanan Substation 138kv bus tie breakers, its associated overhead transmission line to IP2, and relay protection are owned by Entergy Nuclear IP2. The protective relays located onsite and substation property will be owned by Entergy Nuclear IP2 and Con Edison, respectively. Control of this breaker is by Con Edison at the Buchanan Substation. A second 138kv overhead transmission feeder to IP2 from a different section of the 138kv system at the Buchanan Substation is available via an underground feeder from Indian Point Nuclear Generating Station Unit No. 3 ("IP3"). The tie breaker for this feeder is inside of the IP3 protected area. Breaker control is located in the Central Control Room that is common to both IP1 and IP2. The Con Edison-owned portion of the 138kv system is identified in the Asset Purchase and Sale Agreement.

The 138kv power source is connected to the plant emergency buses through the IP2 Station Auxiliary Transformer (138/6.9kv) and through four IP2 Station Service transformers (6.9kv/480v). The source of power to the 138kv bus in Buchanan Substation is provided from several sources. Two overhead transmission circuits connect to Millwood substation. A third feeder connects to a 345/138kv transformer in the Buchanan switchyard and is supplied from one of the Buchanan Substation 345kv ring buses. This 345kv system is independent of the IP2 345kv system and connects to an Orange and Rockland Utilities tie (Ramapo), to Con Edison's Eastview and Sprain Brook Substations, and the output of IP2. A fourth feeder from the Peekskill Refuse Burning Generation Station is not taken credit for support of IP2 operation. No physical changes to the 345kv or 138kv feeders are being proposed as part of the license transfer.

The normal sources of auxiliary power for normal IP2 plant operation are both the main generator and offsite power.

Electrical energy generated at 22kv is raised to 345kv by the two main generator transformers and delivered to one of the Buchanan 345kv ring buses via 345kv synchronizing circuit breakers. During normal power operation, the bulk of the power required for station auxiliaries is supplied by a unit auxiliary transformer connected to the generator output. The remaining power is supplied from the offsite source.

The regional bulk electrical power authority is the New York Independent System Operator ("NYISO"). Through telemetry and instrumentation, the NYISO monitors the overall bulk transmission system. The NYISO system operators are trained on the procedures governing the control of the bulk electrical supply and contingency procedures. The NYISO contingencies include actions to be taken to assure the worst contingency does not result in voltage at designated locations decreasing below predetermined values. The contingency procedures include load shedding. Moreover, the contingency procedures include a priority to re-power transmission lines to the nuclear plants as quickly as possible in the event the transmission lines become de-energized. Con Edison is responsible for operating and maintaining the transmission and distribution system. (NYISO Transmission and Dispatching Operations Manual, Rev 9/1/99, Section 2.2.1, Response to Normal State Condition; NYISO Emergency Operations Manual, Rev 9/1/99, Section 4.2, High or Low Voltage, and Section 6.1, Restoration State, Overview).

In the event of a station blackout, Con Edison will provide for the restoration of power to IP2 and give the highest priority to finding alternative power sources and to performing repairs on nuclear-related power lines.

Secondary offsite power is provided to IP2 by 13.8kv distribution system facilities. The 13.8kv distribution system is fed from the Buchanan Substation 138kv system. Two of the 13.8kv feeders are capable of providing power to IP2 through 13.8/6.9kv step-down transformers. The 13.8kv feeders, and one of the step-down transformers are owned and controlled by Con Edison. The other step-down transformer, and circuit breakers to select the feeder source, are inside the IP3 protected area, and are owned and controlled by the owner of IP3. No physical changes to the IP2 13.8kv system are being proposed as part of the license transfer. The Indian Point owned portion of the 13.8kv and 6.9kv systems are included in the Asset Purchase and Sale Agreement.

Transfer of power to IP2 from the 138kv and the 13.8kv systems will be in accordance with the Interconnection and Operation agreement and station service agreement between Entergy Nuclear IP2 and Con Edison.

Based on the above, there is adequate assurance that independent sources of offsite power will continue to be provided.

2. Control of Exclusion Area

Upon approval of the transfer, Entergy Nuclear IP2 will own all of the IP1 and IP2 site, and will have authority to determine all activities within the Indian Point exclusion area to the extent required by 10 CFR Part 100.

3. Nuclear Insurance

Prior to closing, Entergy Nuclear IP2 requests that the NRC issue a new Price Anderson indemnity agreement to Entergy Nuclear IP2 and ENO as part of the license transfer process. Entergy Nuclear IP2 and ENO's projected income from plant operations and financial qualifications (Section II.F, above) provide adequate assurance that they will be able to pay a retrospective premium pursuant to 10 CFR 140.21. Prior to closing, Entergy Nuclear IP2 and ENO will obtain nuclear property damage insurance in such form and amount as required by 10 CFR 50.54(w), and all required nuclear liability coverage.

4. Standard Contract for Disposal of Spent Nuclear Fuel

Upon closing, Entergy Nuclear IP2 will assume title to and responsibility for the management and interim storage of spent nuclear fuel at IP1 and IP2. Con Edison will assign and Entergy Nuclear IP2 will assume Con Edison's rights and obligations under the Standard Contract for the Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste with the U.S. Department of Energy ("DOE"), excluding any claims of Con Edison related to or pertaining to DOE's defaults under the Standard Contract accrued as of the closing date as further specified in section 2.02(a)(xi) and 2.02 (b)(x) of the APSA (provided as Enclosure 4) .

5. Environmental Review

The proposed license transfer and amendment fall under the categorical exclusion from environmental review, 10 CFR 51.22(c)(21), for approvals of direct or indirect transfers of NRC licenses and any associated amendments. Accordingly, no environmental review need be undertaken with respect to the proposed license transfers.

IV. Effective Date

Con Edison, Entergy Nuclear IP2, and ENO request that the NRC review this application on a schedule that will permit issuance of an order consenting to the transfer as promptly as possible to support a closing date of May 11, 2001. Con Edison, Entergy Nuclear IP2 and ENO request that the conforming license amendments be issued to become effective upon closing.

V. Commitments

1.) Entergy Nuclear IP2 and ENO will notify the NRC if any of the \$35 million line of credit established by Entergy International Limited (EIL) is called upon for use either by IP1 or IP2.

2.) The Decommissioning Trust established and maintained by Entergy Nuclear IP2 will conform to the provisions contained in section 2.K of Enclosure 1.

Attachment A — Proposed amendments to Facility Operating License

Attachment B — Proposed amendment to Technical Specifications

Attachment C — No Significant Hazards Consideration Determination

ENCLOSURE 1 TO NL 00-144

LICENSE AMENDMENT

LIST OF CHANGES

**CONSOLIDATED EDISON COMPANY OF NEW YORK, INC
INDIAN POINT UNIT NO. 2
DOCKET NOS. 50-003 and 50-247**

LICENSE AMENDMENT LIST OF CHANGES

A. List of changes to the IP-1 Provisional Operating License Amendment

Page	Section	Current Text	Replacement Text
Cover page		CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.	ENTERGY NUCLEAR INDIAN POINT 2, LLC AND ENTERGY NUCLEAR OPERATIONS, INC.
1	Heading	CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.	ENTERGY NUCLEAR INDIAN POINT 2, LLC AND ENTERGY NUCLEAR OPERATIONS, INC.
	a.	...May 6, 1965 and June 9, 1965,...	...May 6, 1965, June 9, 1965, and December 12, 2000...
	1	...which is owned by Consolidated Edison Company of New York, Inc., (hereinafter referred to as 'Consolidated'), located at Consolidated's site in Westchester County, New York,...which has been designated, by Consolidated as the Indian Point Station Unit No. 1."	...which is owned by Entergy Nuclear Indian Point 2, LLC (ENIP2) and operated by Entergy Nuclear Operations, Inc. (ENO), located in Westchester County, New York,...which has been designated as Indian Point Station Unit No. 1."
	1.2	...hereby licenses Consolidated:	...hereby licenses:
2	1.2.A	...and Utilization Facilities," to possess...	...and Utilization Facilities," ENIP2 and ENO to possess...
	1.2.B	...Title 10 CFR, to receive and possess...	...Title 10 CFR, ENO to receive and possess...
	1.2.C	...Nuclear Material , " to receive ,Nuclear Material , " ENO to receive , ...
	1.2.D	...Byproduct Material , " to receive ,Byproduct Material , " ENO to receive , ...
	1.2.E	...Parts 30 and 70, to receive andParts 30 and 70, ENO to receive and ...
	1.2.F	...Parts 30 and 70, to possess andParts 30 and 70, ENO to possess and ...
	3.A	The licensee is prohibited...	ENO is prohibited...
	3.B	...through Amendment No. 48,...The licensee shall maintain...	{Update Amendment No. based on issuance}...ENO shall maintain...

Page	Section	Current Text	Replacement Text
3	3.C	...Consolidated shall keep the following records:	...ENO shall keep the following records:
	3.C.2	...the effective control of Consolidated as measured...	...the effective control of ENO as measured...
	3.D	Consolidated Edison Company of New York, Inc. shall fully implement...	ENO shall fully implement...

B. List of changes to IP-1 Technical Specifications

Page	Section	Current Text	Replacement Text
Cover page		Consolidated Edison Company of New York, Inc.	Entergy Nuclear Indian Point 2, LLC and Entergy Nuclear Operations, Inc.
1	Heading	Consolidated Edison Company of New York, Inc.	Entergy Nuclear Indian Point 2, LLC and Entergy Nuclear Operations, Inc.
	1.0 1st para	The facility, known as the Consolidated Edison Indian Point Station Unit No. 1... The Consolidated Edison Indian Point Station Unit No. 2 and the New York Power Authority Indian Point Station Unit No. 3 share this site.	The facility, known as the Indian Point Station Unit No. 1... The Indian Point Station Unit No. 2 and the Indian Point Station Unit No. 3 share this site.
	1.0 2nd para	...the unit continues to operate as a support facility for overall Con Edison site operations...	...the unit continues to operate as a support facility for overall Indian Point Units 1 and 2 site operations...
2	1.1.2	This category does not include employees of either utility...	This category does not include employees of either ENIP2, ENO, or other site licensee...
	1.1.5	...nor otherwise controlled by either site licensee.	...nor otherwise controlled by either ENIP2, ENO, or other site licensee.
3	1.1.7	..which is not controlled by either site licensee...	..which is not controlled by either ENIP2, ENO, or other site licensee...
11	5.4	All sealed sources located on the Consolidated Edison Indian Point Station Site are...	All sealed sources located on the Indian Point Units 1 and 2 Site are...
13	5.4	...the results of licensee participation...	...the results of ENO participation...
	footnote 4	...the licensee has the option...	...ENO has the option...

C. List of changes to IP-2 Facility Operating License

Page	Section	Current Text	Replacement Text
1	Heading	CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.	ENTERGY NUCLEAR INDIAN POINT 2, LLC AND ENTERGY NUCLEAR OPERATIONS, INC.
	1.A	...Consolidated Edison Company of New York, Inc. (the licensee) complies...	...Consolidated Edison Company of New York, Inc. as supplemented by Consolidated Edison Company of New York, Inc., Entergy Nuclear Indian Point 2, LLC (ENIP2) and Entergy Nuclear Operations, Inc. (ENO) (ENIP2 and ENO collectively defined as the licensee) by letter dated December 12, 2000...
3	2	...issued to Consolidated Edison Company of New York, Inc....	...issued to ENIP2 and ENO...
	2.A	...which is owned by Consolidated Edison Company of New York, Inc.	...which is owned by ENIP2 and operated by ENO.
	2.B	...the Commission hereby licenses Consolidated Edison Company of New York, Inc.:	...the Commission hereby licenses:
	2.B.1	...Facilities" to possess, use, and operate the facility...	...Facilities" (a) ENIP2 to possess and use, and (b) ENO to possess, use, and operate the facility...
	2.B.2	pursuant to the Act...	ENO pursuant to the Act...
4	2.B.3	pursuant to the Act...	ENO pursuant to the Act...
	2.B.4	pursuant to the Act...	ENO pursuant to the Act...
	2.B.5	pursuant to the Act...	ENO pursuant to the Act...
	2.C.1	The licensee is authorized...	ENO is authorized...
5	2.C.2	...through Amendment No. 211,...The licensee shall operate...	{Update Amendment No. based on issuance}...ENO shall operate...
	2.D.2	The licensee shall implement...	ENO shall implement...
7	2.H	Consolidated Edison Company of New York, Inc. shall...	ENO shall...
	2.K	Consolidated Edison Company of New York, Inc. shall...The licensee may make...	ENO shall...ENO may make...
8	2.L	The licensee shall implement...	ENO shall implement...
	2.M	The licensee shall implement...	ENO shall implement...

D. List of changes to IP-2 Technical Specifications

Page	Section	Current Text	Replacement Text
Cover page		CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.	ENTERGY NUCLEAR INDIAN POINT 2, LLC AND ENTERGY NUCLEAR OPERATIONS, INC.
1-7	1.20	...by either site licensee.	...by either ENIP2, ENO, or other site licensee.
	1.22	...by either site licensee...	...by either ENIP2, ENO, or other site licensee...
-	Figure 5.1-1 A	CON ED	{Delete wording}
-	Figure 5.1-1 B	NYPA Main Entrance Gate NYPA Property Line Division CON ED / NYPA	{Delete wording} {Delete wording} Property Line Division - Indian Point 1 & 2 / Indian Point 3

E. List of changes to IP 1 and IP-2 Environmental Technical Specification Requirements

Page	Section	Current Text	Replacement Text
Cover page		CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.	ENTERGY NUCLEAR INDIAN POINT 2, LLC AND ENTERGY NUCLEAR OPERATIONS, INC.

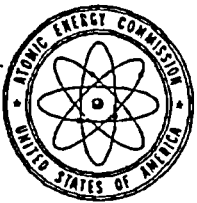
**ENCLOSURE 1
ATTACHMENT A
TO NL 00-144**

**LICENSE AMENDMENT PAGES IN
STRIKEOUT/SHADOW FORMAT**

Deleted text is shown as ~~strikeout~~.

Added text is shown as shadow.

**CONSOLIDATED EDISON COMPANY OF NEW YORK, INC
INDIAN POINT UNIT NO. 2
DOCKET NOS. 50-003 and 50-247**



UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

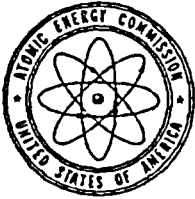
CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

ENTERGY NUCLEAR INDIAN POINT 2, LLC
AND ENTERGY NUCLEAR OPERATIONS, INC.

DOCKET NO. 50-3

PROVISIONAL OPERATING LICENSE AMENDMENT

License No. DPR-5
Amendment No. 2



UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
ENTERGY NUCLEAR INDIAN POINT 2, LLC
AND ENTERGY NUCLEAR OPERATIONS, INC.

DOCKET NO. 50-3

PROVISIONAL OPERATING LICENSE AMENDMENT

License No. DPR-5
Amendment No. 2

The Atomic Energy Commission having found that:

- a. The application for license amendment dated April 6, 1965 as amended May 6, 1965, ~~and June 9, 1965, and December 12, 2000~~ complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's Regulations set forth in Title 10, Chapter 1, CFR;
- b. There is reasonable assurance (i) that the facility can be operated at power levels not in excess of 615 Mw(t) in accordance with this license, as amended, without endangering the health and safety of the public and (ii) that such activities will be conducted in compliance with the rules and regulations of the Commission;
- c. The applicant is technically and financially qualified to engage in the activities authorized by this license, as amended, in accordance with the rules and regulations of the Commission;
- d. The applicant has furnished proof of financial protection to satisfy the requirements of 10 CFR, Part 140;
- e. The issuance of this license, as amended, will not be inimical to the common defense and security or to the health and safety of the public;

Provisional Operating License No. DPR-5 is hereby amended in its entirety to read as follows:

- "1. This license applies to the utilization facility consisting of a pressurized water reactor (hereinafter referred to as 'the reactor'), and associated components and equipment hereinafter specified, which is owned by ~~Consolidated Edison Company of New York, Inc.~~ Entergy Nuclear Indian Point 2, LLC (ENIP2) and maintained and operated by Entergy Nuclear Operations, Inc. (ENO), ~~(hereinafter referred to as 'Consolidated')~~, located at ~~Consolidated's~~ site in Westchester County, New York, and described in the Amended and Substituted Application for Licenses dated November 30, 1960, as amended; in the Application for License amendment dated April 6, 1965 as supplemented May 6, 1965; and in the Application for license amendment dated December 3, 1965 (hereinafter referred to as 'the application'), and which is a part of the electric generating plant which has been designated, ~~by Consolidated as the~~ Indian Point Station Unit No. 1."
2. Subject to the conditions and requirements incorporated herein, the Atomic Energy Commission (hereinafter referred to as "the Commission") hereby licenses ~~Consolidated~~:

- A. Pursuant to Section 104b. of the Act and Title 10 CFR Part 50, "Licensing of Production and Utilization Facilities," ENIP2 and ENO to possess but not operate the facility at the designated location in Westchester County, New York, in accordance with the procedures and limitations described in the application and this license;
 - B. Pursuant to the Act and Title 10, CFR, ENO to receive and possess up to 1918 kilograms of contained uranium-235 previously received for reactor operation;
 - C. Pursuant to the Act and Title 10, CFR, Chapter 1, Part 70, "Special Nuclear Material," ENO to receive, possess and use six (6) grams of uranium-235 in fission counters;
 - D. Pursuant to the Act and Title 10, CFR, Chapter 1, Part 30, "Licensing of Byproduct Material," ENO to receive, possess and use six hundred (600) curies of Polonium-210 encapsulated as Po-Be neutron start-up sources;
 - E. Pursuant to the Act and 10 CFR Parts 30 and 70, ENO to receive and possess, but not to separate, such byproduct and special materials as were produced by the prior operation of the facility;
 - F. Pursuant to the Act and Title 10, CFR, Parts 30 and 70, ENO to possess and store the 1140.46 kilograms of special nuclear material and the byproduct materials contained in Core A.
3. This license shall be deemed to contain and is subject to the conditions specified in Sections 50.54 and 50.59 of Part 50, Section 70.32 of Part 70, Section 40.41 of Part 40, and Section 30.32 of Part 30 of the Commission's regulations; is subject to all applicable provisions of the Act and rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below:
- A. Maximum Power Level
~~The licensee~~ ENO is prohibited from taking the reactor to criticality, and the facility shall not be operated at any power level.
 - B. Technical Specifications
The Technical Specifications, as revised through Amendment No. 48, are hereby incorporated in the license. ~~The licensee~~ ENO shall maintain the facility in accordance with the Technical Specifications.

C. Records

In addition to those otherwise required under this license and applicable regulations, ~~Consolidated~~ ENO shall keep the following records:

- (1) Reactor operating records, including power levels and period of operation at each power level.
- (2) Records showing the radioactivity released or discharged into the air or water beyond the effective control of ~~Consolidated~~ ENO as measured at or prior to the point of such release or discharge.
- (3) Records of scrams, including reasons therefor.
- (4) Records of principal maintenance operations involving substitution or replacement of facility equipment or components and the reasons therefor.
- (5) Records of radioactivity measurements at on-site and off-site monitoring stations.
- (6) Records of facility tests and measurements performed pursuant to the requirements of the Technical Specifications.

- D. ~~Consolidated Edison Company of New York, Inc.~~ ENO shall fully implement and maintain in effect all provisions of the physical security, guard training and qualification, and safeguards contingency plans previously approved by the Commission and all amendments and revisions to such plans made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Indian Point Station, Units 1 and 2 Physical Security Plan," with revisions submitted through July 25, 1989; "Indian Point Station, Unit 1 and 2, Security Guard Training and Qualification Plan," with revisions submitted through December 8, 1986; and "Indian Point Station, Units 1 and 2, Safeguards Contingency Plan," with revisions submitted through November 7, 1986.

Paragraphs 3.E and 3.F are hereby deleted.

Appendix A to

Provisional Operating License DPR-5

for the

~~Consolidated Edison Company of New York, Inc.~~

Entergy Nuclear Indian Point 2, LLC
and Entergy Nuclear Operations, Inc.

Indian Point Station

Unit No. 1

Docket No. 50-3

Amendment No. 45

~~Date of Issuance: January 31, 1996~~

Appendix A to

Provisional Operating License DPR-5

For the

~~Consolidated Edison Company of New York, Inc.~~
Entergy Nuclear Indian Point 2, LLC
and Entergy Nuclear Operations, Inc

1.0 GENERAL INFORMATION

The facility, known as the ~~Consolidated Edison~~ Indian Point Station Unit No. 1, is located on the 235 acre site in the Village of Buchanan, Westchester County, New York. The ~~Consolidated Edison~~ Indian Point Station Unit No. 2 and the ~~New York Power Authority~~ Indian Point Station Unit No. 3 share this site.

Indian Point Unit No. 1 includes a pressurized water reactor which operated with an authorized maximum steady state power level of 615 thermal megawatts until October 31, 1974. Pursuant to a June 19, 1980 Commission Order Revoking Authority to Operate Facility and a Decommissioning Plan for Indian Point Unit No. 1 submitted by Con Edison to NRC on October 17, 1980 in accordance with that Order, the reactor remains in a defueled status and the unit continues to operate as a support facility for overall ~~Con Edison~~ Indian Point Units 1 and 2 site operations. Unit No. 1 and Unit No. 2 are physically contiguous and share a number of systems and facilities as well as a common operating organization. The technical specifications contained herein recognize this commonality as well as the intended use of the Unit No. 1 facilities to support Unit No. 2 until retirement of that unit, and contain specific references to Appendix A to the Indian Point Unit No. 2 Facility Operating License No. DPR-26. Unit No. 1 contains radioactive waste processing facilities which provide waste processing services for both Unit No. 1 and Unit No. 2. Radiological effluent limits are met on an overall site basis and specific operating limits and surveillance requirements for effluent monitoring instrumentation, including stack noble gas monitoring, are discussed in Appendix A to the Indian Point Unit No. 2 Facility Operating License No. DPR-26.

1.1 Definitions

1.1.1 Operable-Operability

A system, subsystem, train, component or device shall be operable or have operability when it is capable of performing its intended safety function(s). Implicit in this definition shall be the assumption that necessary instrumentation, controls, electrical power sources, cooling or seal water, lubrication or other auxiliary equipment that are required for the system, subsystem, train, component, or device to perform its safety function(s) are also capable of performing their related support functions.

1.1.2 Member(s) of the Public

Member(s) of the Public includes all persons who are not occupationally associated with the site. This category does not include employees of either ENIP2, ENO, or other site licensee utility, their contractors or vendors. Also excluded from this category are persons who enter the site to service equipment or to make deliveries.

1.1.3 Offsite Dose Calculation Manual (ODCM)

The Offsite Dose Calculation Manual contains the current methodology and parameters used in the calculation of offsite doses due to radioactive gaseous and liquid effluents, in the calculation of gaseous and liquid effluent monitoring alarm/trip setpoints, and in the conduct of the environmental radiological monitoring program.

1.1.4 Process Control Program (PCP)

The Process Control Program is a manual containing and/or referencing selected operational information concerning the solidification of radioactive wastes from liquid systems.

1.1.5 Site Boundary

The Site Boundary is that line beyond which the land is neither owned, leased, nor otherwise controlled by either ENIP2, ENO, or other site licensee.

1.1.6 Solidification

Solidification is the conversion of wet wastes into a form that meets shipping and burial ground requirements.

1.1.7 Unrestricted Area

An Unrestricted Area is any area at or beyond the Site Boundary, access to which is not controlled by either ENIP2, ENO, or other site licensee for purposes of protection of individuals from exposure to radiation and radioactive materials.

1.2 Exclusion Distance and Restricted Area

1.2.1 The minimum distance from the reactor facility to the nearest land boundary of the exclusion area, as defined in Part 100 of the Commission's regulations, shall be 1400 feet.

1.2.2 The minimum distance from the reactor center line to the boundary of the site exclusion area and the outer boundary of the low population zone as defined in 10 CFR 100.3 is 460 meters and 1100 meters, respectively. For the purpose of satisfying 10 CFR Part 20, the Restricted Area is the same as the Exclusion Area defined in Figure 2.2-2 of Section 2.2 of the IP#2 FSAR.

1.3 Principal Activities

1.3.1 The principal activities carried on within the Exclusion Area shall be the generation, transmission and distribution of steam and electrical energy (except by gas-fired power plant); associated service activities; activities relating to the controlled conversion of the atomic energy of fuel to heat energy by the process of nuclear fission; and the storage, utilization and production of special nuclear, source and byproduct materials. Transmission and distribution of natural gas shall be through the use of facilities located as described in the application as amended.

which are appropriate in view of the nature of the repair, replacement, or modification, and the condition of the system.

5.2 Testing

5.2.5 Functional radiation monitoring systems (only for the following: nuclear services building sewage, sphere foundation sump, and secondary purification blowdown cooling water) and area radiation monitoring systems shall be:

- (a) qualitatively checked daily to verify acceptable operability of instrument channel behavior during operation, and
- (b) tested quarterly by injection of a simulated signal into the instrument channel to verify that it is operable, including alarm and/or trip initiating action. The quarterly interval is defined as quarterly plus or minus 25% of the quarter.

5.2.6 Unit 1 radioactive effluent monitoring instrumentation shall satisfy the surveillance requirements as specified in Specification 4.10 of Appendix A to the Indian Point Unit No. 2 Facility Operating License No. DPR-26.

5.3 Spent Fuel Storage Pool Sampling

Any spent fuel storage pool containing spent fuel stored in water shall be sampled monthly for chloride level, pH and Cesium 137 activity. If Cesium 137 activity is found to be elevated above normal levels, an effort shall be promptly initiated to investigate the cause of the elevated level and take subsequent corrective action, as appropriate.

5.4 Sealed Sources

All sealed sources located on the ~~Consolidated Edison~~ Indian Point Station Units 1 and 2 Site are maintained under the Indian Point Unit No. 2 Facility Operating License No. DPR-26 and surveillance and use of such sources are addressed in Appendix A to the Indian Point Unit No. 2 Facility Operating License No. DPR-26.

The reports shall also include the following: a summary description of the radiological environmental monitoring program; at least two legible maps³ covering all sampling locations keyed to a table giving distances and directions from the centerline of one reactor; the results of licensee ~~ENO~~ participation in the Interlaboratory Comparison Program; discussion of all deviations from the sampling schedule; and discussion of all analyses in which the LLD required was not achievable.

6.1.3 Radioactive Effluent Release Report¹

6.1.3.1 Routine Radioactive Effluent Release Reports covering the previous 12 months of operation shall be submitted by May 1 of each year.

6.1.3.2 The Radioactive Effluent Release Report shall include a summary of the quantities of radioactive liquid and gaseous effluents and solid waste released from the unit as outlined in the Regulatory Guide 1.21, "Measuring, Evaluating, and Reporting Radioactivity in Solid Wastes and Releases of Radioactive Materials in Liquid Gaseous Effluents from Light-Water-Cooled Nuclear Power Plants", Revision 1, June 1974, with data summarized on a quarterly basis following the format of Appendix B thereof.

The Radioactive Effluent Release Report to be submitted by May 1 of each year shall include an annual summary of hourly meteorological data collected over the previous year. This annual summary may be either in the form of an hour-by-hour listing of magnetic tape of wind speed, wind direction, atmospheric stability, and precipitation (if measured), or in the form of joint frequency distribution of wind speed, wind direction, and atmospheric stability.⁴ This same report

¹ A single submittal may be made for a multiple unit station. The submittal should combine those sections that are common to all units at the station.

³ One map shall cover stations near the site boundary; a second shall include more distant stations.

⁴ In lieu of submission with the first half year Radioactive Effluent Release Report, ~~the licensee~~ ~~ENO~~ has the option of retaining this summary of required meteorological data on site in a file that shall be provided to the NRC upon request.

UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

~~CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.~~

ENTERGY NUCLEAR INDIAN POINT 2, LLC
AND ENTERGY NUCLEAR OPERATIONS, INC.

Indian Point Nuclear Generating Unit No. 2

DOCKET NO. 50-247

FACILITY OPERATING LICENSE

License No. DPR-26

1. The Atomic Energy Commission (the Commission) has found that:
 - A. The application for license filed by Consolidated Edison Company of New York, Inc. as supplemented by Consolidated Edison Company of New York, Inc. and Entergy Nuclear Indian Point 2, LLC (ENIP2) and Entergy Nuclear Operations, Inc. (ENO) (ENIP2 and ENO collectively defined as the licensee) by letter dated December 12, 2000 complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I, and all required notifications to other agencies or bodies have been duly made.
 - B. Construction of the Indian Point Nuclear Generating Unit No. 2 (facility) has been substantially completed in conformity with Provisional Construction Permit No. CPPR-21, as amended, and the application, as amended, the provisions of the Act and the rules and regulations of the Commission.
 - C. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission.

2. Facility Operating License No. DPR-26, as amended, issued to ~~Consolidated Edison Company of New York, Inc.~~ ENIP2 and ENO, is hereby amended in its entirety to read as follows:

- A. This amended license applies to the Indian Point Nuclear Generating Unit No. 2, a pressurized water nuclear reactor and associated equipment (the facility), which is owned by ~~Consolidated Edison Company of New York, Inc.~~ ENIP2 and operated by ENO. The facility is located in Westchester County, New York, and is described in the "Final Facility Description and Safety Analysis Report" as supplemented and amended.
- B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses ~~Consolidated Edison Company of New York, Inc.~~:
- (1) pursuant to Section 104b of the Act and 10 CFR Part 50, "Licensing of Production and Utilization Facilities" [(a) ENIP2 to possess and use, and (b) ENO to possess, use, and operate the facility at the designated location in Westchester County, New York, in accordance with the procedures and limitations set forth in this license;
 - (2) ENO pursuant to the Act and 10 CFR Part 70, to receive, possess, and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Facility Description and Safety Analysis Report, as supplemented and amended and as described in the Commission's authorization through Amendment No. 158 to this license.

- (3) ENO pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess and use at any time any by-product, source and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;
- (4) ENO pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess and use in amounts as required any by-product, source, or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components;
- (5) ENO pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such by-product and special nuclear materials as may be produced by the operation of the facility.

C. This amended license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I: Part 20, Section 30.34 of Part 30, Section 40.41 of Part 40, Sections 50.54 and 50.59 of Part 50, and Section 70.32 of Part 70; is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

- (1) Maximum Power Level

~~The licensee~~ ENO is authorized to operate the facility at steady state reactor core power levels not in excess of 3071.4 megawatts thermal.

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. ~~211~~, are hereby incorporated in the license. ~~The licensee~~ ENO shall operate the facility in accordance with the Technical Specifications.

D. (1) Steam Generator Inspections

The plant shall be brought to the cold shutdown condition within sixteen equivalent months of operation from August 31, 1979, but in any event no later than May 1, 1981. For the purpose of this requirement, equivalent operation is defined as operation with a reactor coolant temperature greater than 350°F. An inspection of all four steam generators shall be performed and Nuclear Regulatory Commission approval shall be obtained before resuming power operation following this inspection.

(2) Secondary Water Chemistry Monitoring

~~The licensee~~ ENO shall implement a secondary water chemistry monitoring program to inhibit steam generator tube degradation. This program shall include:

- (a) Identification of a sampling schedule for the critical parameters and control points for these parameters;
- (b) Identification of the procedures used to quantify parameters that are critical to control points;
- (c) Identification of process sampling points;
- (d) Procedure for the recording and management of data;

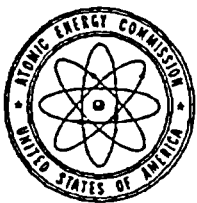
- H. ~~Consolidated Edison Company of New York, Inc.~~ ENO shall fully implement and maintain in effect all provisions of the physical security, guard training and qualification, and safeguards contingency plans previously approved by the Commission and all amendments and revisions to such plans made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Indian Point Station, Units 1 and 2 Physical Security Plan," with revisions submitted through October 11, 1996; "Indian Point Station, Unit 1 and 2, Security Guard Training and Qualification Plan," with revisions submitted through September 11, 1996; and "Indian Point Station, Units 1 and 2, Safeguards Contingency Plan," with revisions submitted through November 7, 1986.
- I. Deleted by Amendment No. 133.
- J. Deleted by Amendment No. 133.
- K. ~~Consolidated Edison Company of New York, Inc.~~ ENO shall implement and maintain in effect all provisions of the NRC-approved fire protection program as described in the Updated Final Safety Analysis Report for the facility and as approved in the Safety Evaluation Reports dated November 30, 1977, February 3, 1978, January 31, 1979, October 31, 1980, August 22, 1983, March 30, 1984, October 16, 1984, September 16, 1985, November 13, 1985, March 4, 1987, January 12, 1989, and March 26, 1996. ~~The licensee~~ ENO may make changes to the NRC-approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

- L. ~~The licensee~~ ENO shall implement a program to reduce leakage from systems outside containment that would or could contain highly radioactive fluids during a serious transient or accident to as low as practical levels. The program shall include the following:
1. Provisions establishing preventive maintenance and periodic visual inspection requirements.
 2. Integrated leak test requirements for each system at a frequency not to exceed Refueling Interval (R##).
- M. ~~The licensee~~ ENO shall implement a program which will ensure the capability to accurately determine the airborne iodine concentration in vital areas under accident conditions. This program shall include the following:
1. Training of personnel,
 2. procedures for monitoring, and
 3. provisions for maintenance of sampling and analysis equipment.
3. This license is effective as of the date of issuance, and shall expire at midnight on September 28, 2013.

**ENCLOSURE 1
ATTACHMENT A
TO NL 00-144**

**LICENSE AMENDMENT PAGES IN
REVISION BAR FORMAT**

**CONSOLIDATED EDISON COMPANY OF NEW YORK, INC
INDIAN POINT UNIT NO. 2
DOCKET NOS. 50-003 and 50-247**



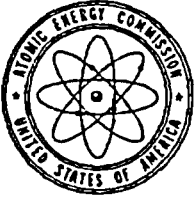
UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

ENTERGY NUCLEAR INDIAN POINT 2, LLC
AND ENTERGY NUCLEAR OPERATIONS, INC.

DOCKET NO. 50-3

PROVISIONAL OPERATING LICENSE AMENDMENT

License No. DPR-5
Amendment No. |



UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

ENTERGY NUCLEAR INDIAN POINT 2, LLC
AND ENTERGY NUCLEAR OPERATIONS, INC.

DOCKET NO. 50-3

PROVISIONAL OPERATING LICENSE AMENDMENT

License No. DPR-5
Amendment No.

The Atomic Energy Commission having found that:

- a. The application for license amendment dated April 6, 1965 as amended May 6, 1965, June 9, 1965, and December 12, 2000, complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's Regulations set forth in Title 10, Chapter 1, CFR;
- b. There is reasonable assurance (i) that the facility can be operated at power levels not in excess of 615 Mw(t) in accordance with this license, as amended, without endangering the health and safety of the public and (ii) that such activities will be conducted in compliance with the rules and regulations of the Commission;
- c. The applicant is technically and financially qualified to engage in the activities authorized by this license, as amended, in accordance with the rules and regulations of the Commission;
- d. The applicant has furnished proof of financial protection to satisfy the requirements of 10 CFR, Part 140;
- e. The issuance of this license, as amended, will not be inimical to the common defense and security or to the health and safety of the public;

Provisional Operating License No. DPR-5 is hereby amended in its entirety to read as follows: .

- "1. This license applies to the utilization facility consisting of a pressurized water reactor (hereinafter referred to as 'the reactor'), and associated components and equipment hereinafter specified, which is owned by Entergy Nuclear Indian Point 2, LLC (ENIP2) and maintained and operated by Entergy Nuclear Operations, Inc. (ENO), located in Westchester County, New York, and described in the Amended and Substituted Application for Licenses dated November 30, 1960, as amended; in the Application for License amendment dated April 6, 1965 as supplemented May 6, 1965; and in the Application for license amendment dated December 3, 1965 (hereinafter referred to as 'the application'), and which is a part of the electric generating plant which has been designated as Indian Point Station Unit No. 1."
2. Subject to the conditions and requirements incorporated herein, the Atomic Energy Commission (hereinafter referred to as "the Commission") hereby licenses:

- A. Pursuant to Section 104b. of the Act and Title 10 CFR Part 50, "Licensing of Production and Utilization Facilities," ENIP2 and ENO to possess but not operate the facility at the designated location in Westchester County, New York, in accordance with the procedures and limitations described in the application and this license;
 - B. Pursuant to the Act and Title 10, CFR, ENO to receive and possess up to 1918 kilograms of contained uranium-235 previously received for reactor operation;
 - C. Pursuant to the Act and Title 10, CFR, Chapter 1, Part 70, "Special Nuclear Material," ENO to receive, possess and use six (6) grams of uranium-235 in fission counters;
 - D. Pursuant to the Act and Title 10, CFR, Chapter 1, Part 30, "Licensing of Byproduct Material," ENO to receive, possess and use six hundred (600) curies of Polonium-210 encapsulated as Po-Be neutron start-up sources;
 - E. Pursuant to the Act and 10 CFR Parts 30 and 70, ENO to receive and possess, but not to separate, such byproduct and special materials as were produced by the prior operation of the facility;
 - F. Pursuant to the Act and Title 10, CFR, Parts 30 and 70, ENO to possess and store the 1140.46 kilograms of special nuclear material and the byproduct materials contained in Core A.
3. This license shall be deemed to contain and is subject to the conditions specified in Sections 50.54 and 50.59 of Part 50, Section 70.32 of Part 70, Section 40.41 of Part 40, and Section 30.32 of Part 30 of the Commission's regulations; is subject to all applicable provisions of the Act and rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below:
- A. Maximum Power Level

ENO is prohibited from taking the reactor to criticality, and the facility shall not be operated at any power level.
 - B. Technical Specifications

The Technical Specifications, as revised through Amendment No. , are hereby incorporated in the license. ENO shall maintain the facility in accordance with the Technical Specifications.

C. Records

In addition to those otherwise required under this license and applicable regulations, ENO shall keep the following records:

- (1) Reactor operating records, including power levels and period of operation at each power level.
- (2) Records showing the radioactivity released or discharged into the air or water beyond the effective control of ENO as measured at or prior to the point of such release or discharge.
- (3) Records of scrams, including reasons therefor.
- (4) Records of principal maintenance operations involving substitution or replacement of facility equipment or components and the reasons therefor.
- (5) Records of radioactivity measurements at on-site and off-site monitoring stations.
- (6) Records of facility tests and measurements performed pursuant to the requirements of the Technical Specifications.

- D. ENO shall fully implement and maintain in effect all provisions of the physical security, guard training and qualification, and safeguards contingency plans previously approved by the Commission and all amendments and revisions to such plans made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Indian Point Station, Units 1 and 2 Physical Security Plan," with revisions submitted through July 25, 1989; "Indian Point Station, Unit 1 and 2, Security Guard Training and Qualification Plan," with revisions submitted through December 8, 1986; and "Indian Point Station, Units 1 and 2, Safeguards Contingency Plan," with revisions submitted through November 7, 1986.

Paragraphs 3.E and 3.F are hereby deleted.

Appendix A to

Provisional Operating License DPR-5

for the

Entergy Nuclear Indian Point 2, LLC
and Entergy Nuclear Operations, Inc.

Indian Point Station

Unit No. 1

Docket No. 50-3

Amendment No.

Appendix A to
Provisional Operating License DPR-5

For the

Entergy Nuclear Indian Point 2, LLC
and Entergy Nuclear Operations, Inc.

1.0 GENERAL INFORMATION

The facility, known as the Indian Point Station Unit No. 1, is located on the 235 acre site in the Village of Buchanan, Westchester County, New York. The Indian Point Station Unit No. 2 and the Indian Point Station Unit No. 3 share this site.

Indian Point Unit No. 1 includes a pressurized water reactor which operated with an authorized maximum steady state power level of 615 thermal megawatts until October 31, 1974. Pursuant to a June 19, 1980 Commission Order Revoking Authority to Operate Facility and a Decommissioning Plan for Indian Point Unit No. 1 submitted by Con Edison to NRC on October 17, 1980 in accordance with that Order, the reactor remains in a defueled status and the unit continues to operate as a support facility for overall Indian Point Units 1 and 2 site operations. Unit No. 1 and Unit No. 2 are physically contiguous and share a number of systems and facilities as well as a common operating organization. The technical specifications contained herein recognize this commonality as well as the intended use of the Unit No. 1 facilities to support Unit No. 2 until retirement of that unit, and contain specific references to Appendix A to the Indian Point Unit No. 2 Facility Operating License No. DPR-26. Unit No. 1 contains radioactive waste processing facilities which provide waste processing services for both Unit No. 1 and Unit No. 2. Radiological effluent limits are met on an overall site basis and specific operating limits and surveillance requirements for effluent monitoring instrumentation, including stack noble gas monitoring, are discussed in Appendix A to the Indian Point Unit No. 2 Facility Operating License No. DPR-26.

1.1 Definitions

1.1.1 Operable-Operability

A system, subsystem, train, component or device shall be operable or have operability when it is capable of performing its intended safety function(s). Implicit in this definition shall be the assumption that necessary instrumentation, controls, electrical power sources, cooling or seal water, lubrication or other auxiliary equipment that are required for the system, subsystem, train, component, or device to perform its safety function(s) are also capable of performing their related support functions.

1.1.2 Member(s) of the Public

Member(s) of the Public includes all persons who are not occupationally associated with the site. This category does not include employees of either ENIP2, ENO, or other site licensee, their contractors or vendors. Also excluded from this category are persons who enter the site to service equipment or to make deliveries.

1.1.3 Offsite Dose Calculation Manual (ODCM)

The Offsite Dose Calculation Manual contains the current methodology and parameters used in the calculation of offsite doses due to radioactive gaseous and liquid effluents, in the calculation of gaseous and liquid effluent monitoring alarm/trip setpoints, and in the conduct of the environmental radiological monitoring program.

1.1.4 Process Control Program (PCP)

The Process Control Program is a manual containing and/or referencing selected operational information concerning the solidification of radioactive wastes from liquid systems.

1.1.5 Site Boundary

The Site Boundary is that line beyond which the land is neither owned, leased, nor otherwise controlled by either ENIP2, ENO, or other site licensee.

1.1.6 Solidification

Solidification is the conversion of wet wastes into a form that meets shipping and burial ground requirements.

1.1.7 Unrestricted Area

An Unrestricted Area is any area at or beyond the Site Boundary, access to which is not controlled by either ENIP2, ENO, or other site licensee for purposes of protection of individuals from exposure to radiation and radioactive materials.

1.2 Exclusion Distance and Restricted Area

1.2.1 The minimum distance from the reactor facility to the nearest land boundary of the exclusion area, as defined in Part 100 of the Commission's regulations, shall be 1400 feet.

1.2.2 The minimum distance from the reactor center line to the boundary of the site exclusion area and the outer boundary of the low population zone as defined in 10 CFR 100.3 is 460 meters and 1100 meters, respectively. For the purpose of satisfying 10 CFR Part 20, the Restricted Area is the same as the Exclusion Area defined in Figure 2.2-2 of Section 2.2 of the IP#2 FSAR.

1.3 Principal Activities

1.3.1 The principal activities carried on within the Exclusion Area shall be the generation, transmission and distribution of steam and electrical energy (except by gas-fired power plant); associated service activities; activities relating to the controlled conversion of the atomic energy of fuel to heat energy by the process of nuclear fission; and the storage, utilization and production of special nuclear, source and byproduct materials. Transmission and distribution of natural gas shall be through the use of facilities located as described in the application as amended.

which are appropriate in view of the nature of the repair, replacement, or modification, and the condition of the system.

5.2 Testing

5.2.5 Functional radiation monitoring systems (only for the following: nuclear services building sewage, sphere foundation sump, and secondary purification blowdown cooling water) and area radiation monitoring systems shall be:

- (a) qualitatively checked daily to verify acceptable operability of instrument channel behavior during operation, and
- (b) tested quarterly by injection of a simulated signal into the instrument channel to verify that it is operable, including alarm and/or trip initiating action. The quarterly interval is defined as quarterly plus or minus 25% of the quarter.

5.2.6 Unit 1 radioactive effluent monitoring instrumentation shall satisfy the surveillance requirements as specified in Specification 4.10 of Appendix A to the Indian Point Unit No. 2 Facility Operating License No. DPR-26.

5.3 Spent Fuel Storage Pool Sampling

Any spent fuel storage pool containing spent fuel stored in water shall be sampled monthly for chloride level, pH and Cesium 137 activity. If Cesium 137 activity is found to be elevated above normal levels, an effort shall be promptly initiated to investigate the cause of the elevated level and take subsequent corrective action, as appropriate.

5.4 Sealed Sources

All sealed sources located on the Indian Point Units 1 and 2 Site are maintained under the Indian Point Unit No. 2 Facility Operating License No. DPR-26 and surveillance and use of such sources are addressed in Appendix A to the Indian Point Unit No. 2 Facility Operating License No. DPR-26.

The reports shall also include the following: a summary description of the radiological environmental monitoring program; at least two legible maps³ covering all sampling locations keyed to a table giving distances and directions from the centerline of one reactor; the results of ENO participation in the Interlaboratory Comparison Program; discussion of all deviations from the sampling schedule; and discussion of all analyses in which the LLD required was not achievable.

6.1.3 Radioactive Effluent Release Report¹

6.1.3.1 Routine Radioactive Effluent Release Reports covering the previous 12 months of operation shall be submitted by May 1 of each year.

6.1.3.2 The Radioactive Effluent Release Report shall include a summary of the quantities of radioactive liquid and gaseous effluents and solid waste released from the unit as outlined in the Regulatory Guide 1.21, "Measuring, Evaluating, and Reporting Radioactivity in Solid Wastes and Releases of Radioactive Materials in Liquid Gaseous Effluents from Light-Water-Cooled Nuclear Power Plants", Revision 1, June 1974, with data summarized on a quarterly basis following the format of Appendix B thereof.

The Radioactive Effluent Release Report to be submitted by May 1 of each year shall include an annual summary of hourly meteorological data collected over the previous year. This annual summary may be either in the form of an hour-by-hour listing of magnetic tape of wind speed, wind direction, atmospheric stability, and precipitation (if measured), or in the form of joint frequency distribution of wind speed, wind direction, and atmospheric stability.⁴ This same report

¹ A single submittal may be made for a multiple unit station. The submittal should combine those sections that are common to all units at the station.

³ One map shall cover stations near the site boundary; a second shall include more distant stations.

⁴ In lieu of submission with the first half year Radioactive Effluent Release Report, ENO has the option of retaining this summary of required meteorological data on site in a file that shall be provided to the NRC upon request.

UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

ENTERGY NUCLEAR INDIAN POINT 2, LLC
AND ENTERGY NUCLEAR OPERATIONS, INC.

Indian Point Nuclear Generating Unit No. 2

DOCKET NO. 50-247

FACILITY OPERATING LICENSE

License No. DPR-26

1. The Atomic Energy Commission (the Commission) has found that:
 - A. The application for license filed by Consolidated Edison Company of New York, Inc. as supplemented by Consolidated Edison Company of New York, Inc. and Entergy Nuclear Indian Point 2, LLC (ENIP2) and Entergy Nuclear Operations, Inc. (ENO) (ENIP2 and ENO collectively defined as the licensee) by letter dated December 12, 2000 complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I, and all required notifications to other agencies or bodies have been duly made.
 - B. Construction of the Indian Point Nuclear Generating Unit No. 2 (facility) has been substantially completed in conformity with Provisional Construction Permit No. CPPR-21, as amended, and the application, as amended, the provisions of the Act and the rules and regulations of the Commission.
 - C. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission.

2. Facility Operating License No. DPR-26, as amended, issued to ENIP2 and ENO, is hereby amended in its entirety to read as follows:

A. This amended license applies to the Indian Point Nuclear Generating Unit No. 2, a pressurized water nuclear reactor and associated equipment (the facility), which is owned by ENIP2 and operated by ENO. The facility is located in Westchester County, New York, and is described in the "Final Facility Description and Safety Analysis Report" as supplemented and amended.

B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses:

(1) pursuant to Section 104b of the Act and 10 CFR Part 50, "Licensing of Production and Utilization Facilities" (a) ENIP2 to possess and use, and (b) ENO to possess, use, and operate the facility at the designated location in Westchester County, New York, in accordance with the procedures and limitations set forth in this license;

(2) ENO pursuant to the Act and 10 CFR Part 70, to receive, possess, and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Facility Description and Safety Analysis Report, as supplemented and amended and as described in the Commission's authorization through Amendment No. 158 to this license.

- (3) ENO pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess and use at any time any by-product, source and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;
- (4) ENO pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess and use in amounts as required any by-product, source, or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components;
- (5) ENO pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such by-product and special nuclear materials as may be produced by the operation of the facility.

C. This amended license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I: Part 20, Section 30.34 of Part 30, Section 40.41 of Part 40, Sections 50.54 and 50.59 of Part 50, and Section 70.32 of Part 70; is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) Maximum Power Level

ENO is authorized to operate the facility at steady state reactor core power levels not in excess of 3071.4 megawatts thermal.

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. , are hereby incorporated in the license. ENO shall operate the facility in accordance with the Technical Specifications.

D. (1) Steam Generator Inspections

The plant shall be brought to the cold shutdown condition within sixteen equivalent months of operation from August 31, 1979, but in any event no later than May 1, 1981. For the purpose of this requirement, equivalent operation is defined as operation with a reactor coolant temperature greater than 350°F. An inspection of all four steam generators shall be performed and Nuclear Regulatory Commission approval shall be obtained before resuming power operation following this inspection.

(2) Secondary Water Chemistry Monitoring

ENO shall implement a secondary water chemistry monitoring program to inhibit steam generator tube degradation. This program shall include:

- (a) Identification of a sampling schedule for the critical parameters and control points for these parameters;
- (b) Identification of the procedures used to quantify parameters that are critical to control points;
- (c) Identification of process sampling points;
- (d) Procedure for the recording and management of data;

- H. ENO shall fully implement and maintain in effect all provisions of the physical security, guard training and qualification, and safeguards contingency plans previously approved by the Commission and all amendments and revisions to such plans made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Indian Point Station, Units 1 and 2 Physical Security Plan," with revisions submitted through October 11, 1996; "Indian Point Station, Unit 1 and 2, Security Guard Training and Qualification Plan," with revisions submitted through September 11, 1996; and "Indian Point Station, Units 1 and 2, Safeguards Contingency Plan," with revisions submitted through November 7, 1986.
- I. Deleted by Amendment No. 133.
- J. Deleted by Amendment No. 133.
- K. ENO shall implement and maintain in effect all provisions of the NRC-approved fire protection program as described in the Updated Final Safety Analysis Report for the facility and as approved in the Safety Evaluation Reports dated November 30, 1977, February 3, 1978, January 31, 1979, October 31, 1980, August 22, 1983, March 30, 1984, October 16, 1984, September 16, 1985, November 13, 1985, March 4, 1987, January 12, 1989, and March 26, 1996. ENO may make changes to the NRC-approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

- L. ENO shall implement a program to reduce leakage from systems outside containment that would or could contain highly radioactive fluids during a serious transient or accident to as low as practical levels. The program shall include the following:
 - 1. Provisions establishing preventive maintenance and periodic visual inspection requirements.
 - 2. Integrated leak test requirements for each system at a frequency not to exceed Refueling Interval (R##).
- M. ENO shall implement a program which will ensure the capability to accurately determine the airborne iodine concentration in vital areas under accident conditions. This program shall include the following:
 - 1. Training of personnel,
 - 2. procedures for monitoring, and
 - 3. provisions for maintenance of sampling and analysis equipment.
- 3. This license is effective as of the date of issuance, and shall expire at midnight on September 28, 2013.

**ENCLOSURE 1
ATTACHMENT B
TO NL 00-144**

**PROPOSED TECHNICAL SPECIFICATION
PAGES IN
STRIKEOUT/SHADOW FORMAT**

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**CONSOLIDATED EDISON COMPANY OF NEW YORK, INC
INDIAN POINT UNIT NO. 2
DOCKET NOS. 50-003 and 50-247**

APPENDIX

TO

FACILITY OPERATING LICENSE DPR-26

FOR

~~CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.~~

ENTERGY NUCLEAR INDIAN POINT 2, LLC
AND ENTERGY NUCLEAR OPERATIONS, INC.

INDIAN POINT NUCLEAR GENERATING PLANT UNIT NO. 2

DOCKET NO. 50-247

TECHNICAL SPECIFICATIONS AND BASES

1.20 SITE BOUNDARY

The site boundary is that line beyond which the land is neither owned, leased, nor otherwise controlled by either ENIP2, ENO, or other site licensee.

1.21 SOLIDIFICATION

Solidification is the conversion of wet wastes into a form that meets shipping and burial ground requirements.

1.22 UNRESTRICTED AREA

An unrestricted area is any area at or beyond the site boundary access to which is not controlled by either ENIP2, ENO, or other site licensee for purposes of protection of individuals from exposure to radiation and radioactive materials.

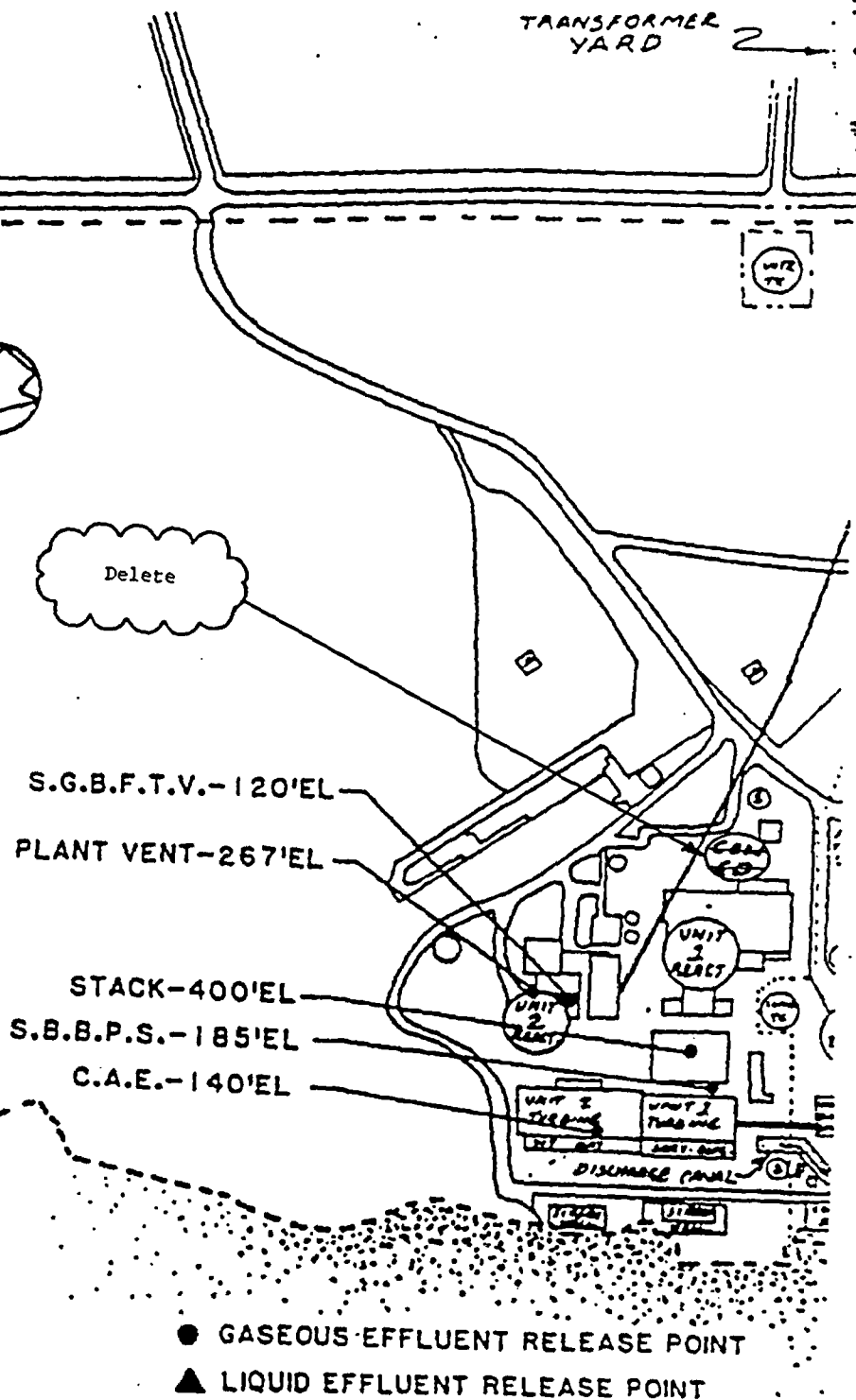
1.23 VENTILATION EXHAUST TREATMENT SYSTEM

A Ventilation Exhaust Treatment System is any system designed and installed to reduce gaseous radioiodine or radioactive material in particulate form in effluents by passing ventilation or vent exhaust gases through charcoal adsorbers and/or HEPA filters for the purpose of removing iodines or particulates from the gaseous exhaust stream prior to the release to the environment. Such a system is not considered to have any effect on noble gas effluents. Engineered Safety Feature (ESF) atmosphere cleanup systems are not considered to be Ventilation Exhaust Treatment System components.

1.24 VENTING

Venting is the controlled process of discharging air or gas from a confinement to maintain temperature, pressure, humidity, concentration or other operating condition, in such a manner that replacement air or gas is not provided or required.

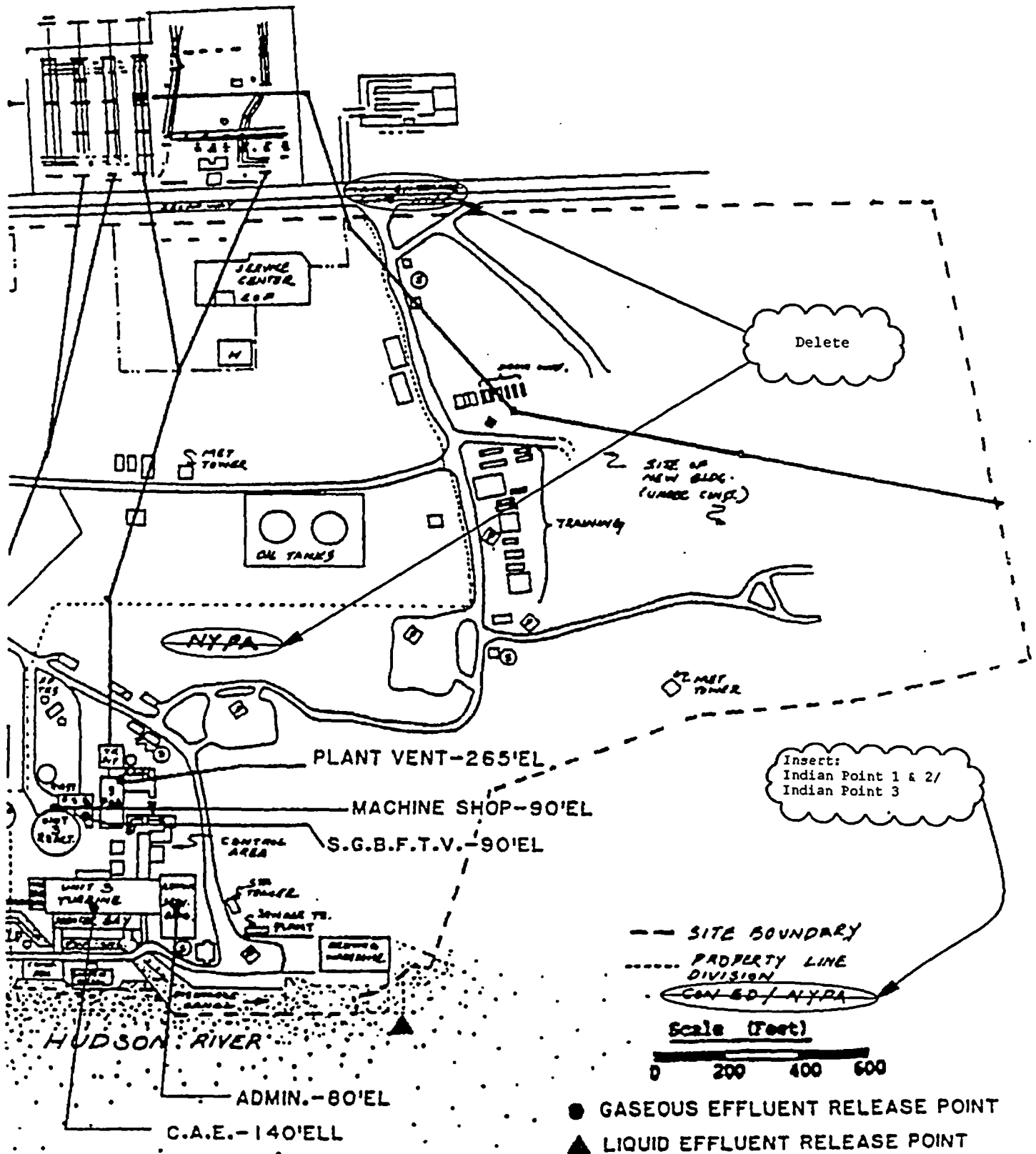
MAP IS INTENDED SOLELY FOR THE PURPOSE OF IDENTIFYING LIQUID AND GASEOUS RELEASE POINT LOCATIONS AND ELEVATIONS. ELEVATIONS ARE FROM MEAN SEA LEVEL (MSL) SANDY HOOK, N.J.



MAP DEFINING UNRESTRICTED AREAS FOR RADIOACTIVE GASEOUS AND LIQUID EFFLUENTS

FIGURE 5.1-1

A



MAP IS INTENDED SOLELY FOR THE PURPOSE OF IDENTIFYING LIQUID AND GASEOUS RELEASE POINT LOCATIONS AND ELEVATIONS. ELEVATIONS ARE FROM MEAN SEA LEVEL (MSL) SANDY HOOK, N.J.

MAP DEFINING UNRESTRICTED AREAS FOR RADIOACTIVE GASEOUS AND LIQUID EFFLUENTS

FIGURE 5.1-1

B

APPENDIX B

TO

FACILITY OPERATING LICENSE

FOR

~~CONSOLIDATED EDISON COMPANY~~
~~OF NEW YORK, INC.~~

ENTERGY NUCLEAR INDIAN POINT 2, LLC
AND ENTERGY NUCLEAR OPERATIONS, INC.

INDIAN POINT NUCLEAR GENERATING
UNITS NUMBER 1 AND 2

ENVIRONMENTAL TECHNICAL SPECIFICATION
REQUIREMENTS

NON-RADIOLOGICAL ENVIRONMENTAL PROTECTION PLAN

FACILITY LICENSES NO. DPR-5 AND DPR-26

DOCKET NUMBERS 50-3 AND 50-247

Unit 1 Amendment No. 42
Unit 2 Amendment No. 152

**ENCLOSURE 1
ATTACHMENT B
TO NL 00-144**

**PROPOSED TECHNICAL SPECIFICATION
PAGES IN
REVISION BAR FORMAT**

**CONSOLIDATED EDISON COMPANY OF NEW YORK, INC
INDIAN POINT UNIT NO. 2
DOCKET NOS. 50-003 and 50-247**

APPENDIX

TO

FACILITY OPERATING LICENSE DPR-26

FOR

ENTERGY NUCLEAR INDIAN POINT 2, LLC
AND ENTERGY NUCLEAR OPERATIONS, INC.

INDIAN POINT NUCLEAR GENERATING PLANT UNIT NO. 2

DOCKET NO. 50-247

TECHNICAL SPECIFICATIONS AND BASES

Amendment No.

1.20 SITE BOUNDARY

The site boundary is that line beyond which the land is neither owned, leased, nor otherwise controlled by either ENIP2, ENO, or other site licensee.

1.21 SOLIDIFICATION

Solidification is the conversion of wet wastes into a form that meets shipping and burial ground requirements.

1.22 UNRESTRICTED AREA

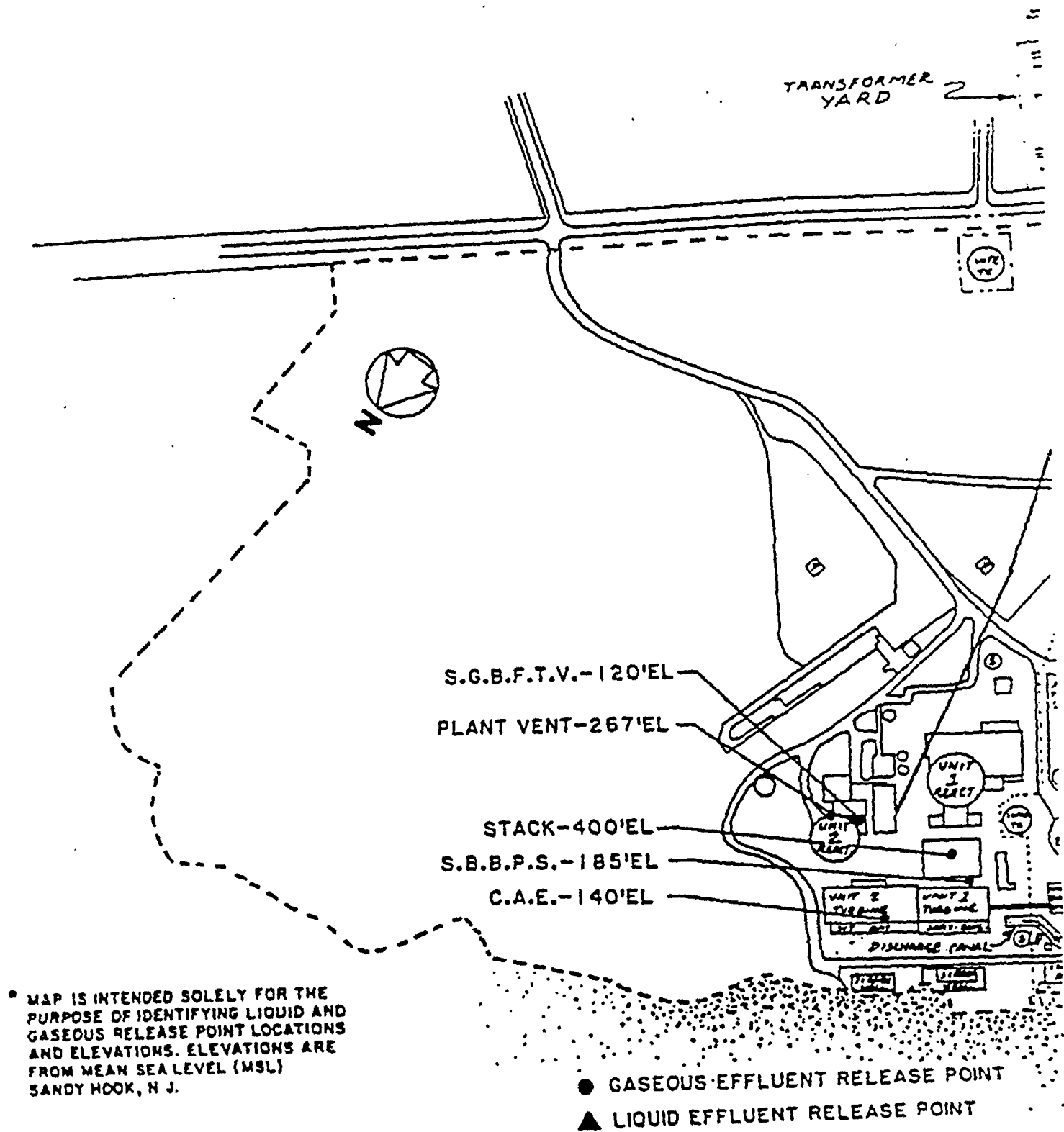
An unrestricted area is any area at or beyond the site boundary access to which is not controlled by ENIP2, ENO, or other site licensee for purposes of protection of individuals from exposure to radiation and radioactive materials.

1.23 VENTILATION EXHAUST TREATMENT SYSTEM

A Ventilation Exhaust Treatment System is any system designed and installed to reduce gaseous radioiodine or radioactive material in particulate form in effluents by passing ventilation or vent exhaust gases through charcoal adsorbers and/or HEPA filters for the purpose of removing iodines or particulates from the gaseous exhaust stream prior to the release to the environment. Such a system is not considered to have any effect on noble gas effluents. Engineered Safety Feature (ESF) atmosphere cleanup systems are not considered to be Ventilation Exhaust Treatment System components.

1.24 VENTING

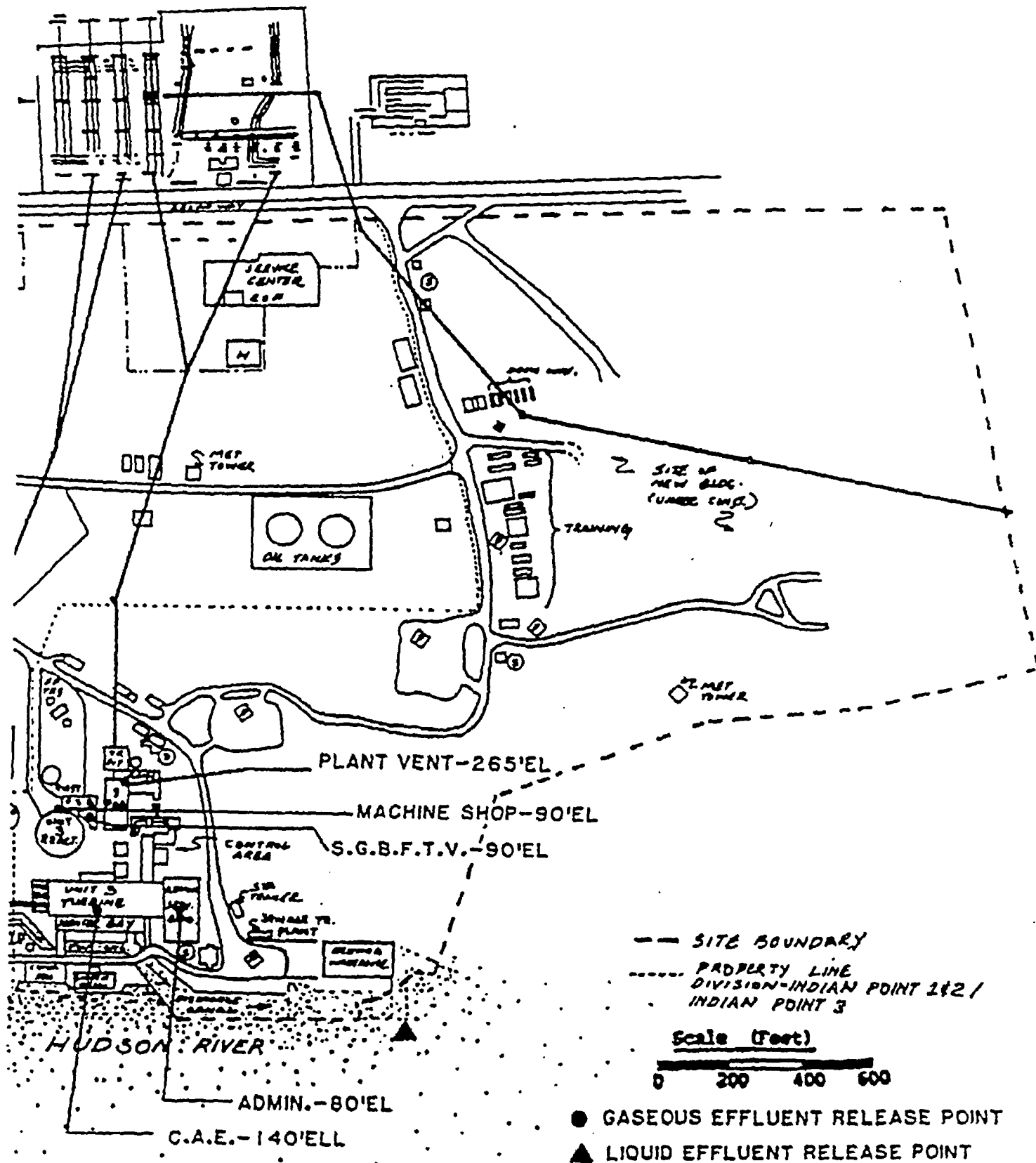
Venting is the controlled process of discharging air or gas from a confinement to maintain temperature, pressure, humidity, concentration or other operating condition, in such a manner that replacement air or gas is not provided or required.



MAP DEFINING UNRESTRICTED AREAS FOR
RADIOACTIVE GASEOUS AND LIQUID EFFLUENTS

FIGURE 5.1-1

A



MAP IS INTENDED SOLELY FOR THE PURPOSE OF IDENTIFYING LIQUID AND GASEOUS RELEASE POINT LOCATIONS AND ELEVATIONS. ELEVATIONS ARE FROM MEAN SEA LEVEL (MSL) SANDY HOOK, N.J.

MAP DEFINING UNRESTRICTED AREAS FOR RADIOACTIVE GASEOUS AND LIQUID EFFLUENTS

FIGURE 5.1-1

APPENDIX B
TO
FACILITY OPERATING LICENSE
FOR
ENTERGY NUCLEAR INDIAN POINT 2, LLC
AND ENTERGY NUCLEAR OPERATIONS, INC.

INDIAN POINT NUCLEAR GENERATING
UNITS NUMBER 1 AND 2

ENVIRONMENTAL TECHNICAL SPECIFICATION
REQUIREMENTS

NON-RADIOLOGICAL ENVIRONMENTAL PROTECTION PLAN

FACILITY LICENSES NO. DPR-5 AND DPR-26

DOCKET NUMBERS 50-3 AND 50-247

Unit 1 Amendment No.
Unit 2 Amendment No.

Consolidated Edison Co. of New York, Inc.
Entergy Nuclear Indian Point 2, LLC
Entergy Nuclear Operations, Inc.

Docket Nos. 50-003 and 50-247
License Nos. DPR-5 and DPR- 26

ENCLOSURE 1
Attachment C

No Significant Hazards Consideration Determination

ENCLOSURE 1
Attachment C

No Significant Hazards Consideration Determination

Operation of the Indian Point Nuclear Generating Unit Nos. 1 and 2 ("IP1" and "IP2") in accordance with the proposed amendment would not involve a significant hazards consideration, as defined in 10 CFR 50.92, because it would not:

- (1) involve a significant increase in the probability or consequences of an accident previously evaluated.

The change in ownership of IP1 and IP2 does not involve a significant increase in the probability or consequences of an accident previously evaluated because of the following:

The change does not involve a change in the design of IP1 or IP2, nor does it involve a physical change to IP1 or IP2.

All Limiting Conditions for Operation, Limiting Safety System Settings and Safety Limits specified in the Technical Specifications remain unchanged. Also the IP1 and IP2 Physical Security Plan and its related plans, the Operator Training and Qualification Program, the Quality Assurance Program, and the Emergency Plan are not being changed by the proposed amendment.

The Entergy Corporation's nuclear program has over 21 years experience in the successful operation of nuclear power plants in the U.S. The technical qualifications of Entergy Nuclear Indian Point 2, LLC ("Entergy Nuclear IP2") and Entergy Nuclear Operations, Inc. ("ENO") to carry out its responsibilities under the IP1 and IP2 Facility Operating Licenses, as amended, will be at least equivalent to the present technical qualifications of Con Edison. This application does not involve a request for any change in the design or operation of IP1 or IP2. The proposed transfer of the Nuclear Power Department employees and ownership/operation of IP1 and IP2 to Entergy Nuclear IP2 and ENO has been planned to assure there is no disruption to the operation of either plant. Upon the effective date of the transfer of the licenses, ENO will operate, manage, and maintain IP1 and IP2 in accordance with the conditions and requirements established by the NRC as defined in the Facility Operating Licenses. All of the existing IP1 and IP2 employees will be offered employment with ENO upon completion of the sale/purchase of the plants. Any new management employees placed at IP1 or IP2 will have experience in the day-to-day operation of nuclear power plants and will meet all applicable technical qualifications required by existing IP1 and IP2 licensing documents. An executive officer at the site will continue to be the officer at the site responsible for the overall safe operation

and maintenance of IP1 and IP2. This individual will report directly to the Senior Vice President and Chief Operating Officer of ENO who will report to the President and Chief Executive Officer of ENO. In summary, the qualifications of the personnel engaged in the nuclear business activities of the plants' operation, maintenance, engineering, assessment, training, and other related services are either unchanged or not changed significantly by the change in ownership.

Therefore, the change in ownership does not involve an increase in the probability or consequence of an accident previously analyzed.

- (2) create the possibility of a new or different kind of accident from any accident previously evaluated.

The change in ownership of IP1 and IP2 does not create the possibility of a new or different kind of accident from any accident previously evaluated because of the following:

The change does not involve a change in the design of IP1 or IP2, nor does it involve a physical change to either plant.

The change has no effect on the physical configuration of IP1 or IP2. The design and design basis of both plants will remain the same. The current plant safety analyses, therefore, remain complete and accurate in addressing the design basis events and in analyzing the plants responses and consequences.

The Limiting Conditions for Operations, Limiting Safety System Settings and Safety Limits specified in the Technical Specifications are not affected by the change. As such, the plant conditions for which the design basis accidents were performed remain valid.

The change does not introduce a new mode of plant operation or new accident precursors, does not involve any physical alterations to plant configurations, or make changes to system set points that could initiate a new or different kind of accident.

Therefore, the change in ownership does not create the possibility of a new or different kind of accident from any accident previously evaluated.

- (3) involve a significant reduction in a margin of safety.

The change in ownership of IP2 does not involve a significant reduction in a margin of safety because of the following:

The change does not involve a change in the design of IP1 or IP2, nor does it involve a physical change to IP1 or IP2.

The change does not affect either the way in which IP1 or IP2 structures, systems, and components perform their safety function or their design and licensing bases.

Plant safety margins are established through Limiting Conditions for Operations, Limiting Safety System Settings and Safety Limits specified in the Technical Specifications. Because there is no change to the physical design of the plant, there is no change to any of these margins.

Therefore, the change in ownership does not involve a significant reduction in a margin of safety.